

IN RE: PETITION FOR ADMIN. VARIANCE \* BEFORE THE  
 N/S Chelmsford Court, 485' E of \* DEPUTY ZONING COMMISSIONER  
 the c/l of Londonperry Court \* OF BALTIMORE COUNTY  
 (46 Chelmsford Court) \* Case No. 96-297-A  
 15th Election District \*  
 5th Councilmanic District \*  
 Dan Thomas, et ux \*  
 Petitioner \*

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance for that property known as 46 Chelmsford Court, located in the Village of Pawnee near Wampler Road in Middle River. The Petition was filed by the owners of the property, Dan and Angela Thomas, and R.L. Tice, Agent for Patio Enclosures, Inc. The Petitioners seek relief from Section 504 of the Baltimore County Zoning Regulations (B.C.Z.R.) {Sections V.B.6.b and V.B.7 of the Comprehensive Manual of Development Policies (C.M.D.P.), 1985} to permit a yard area of 432 sq.ft. in lieu of the minimum required 500 sq.ft., a window to property line setback of 4.5 feet in lieu of the required 15 feet, and to amend the last approved Final Development Plan of the Village of Pawnee, Section V, accordingly, for a proposed 13.5' x 16' addition. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

As noted above, the relief requested was filed through the administrative variance procedure. However, at the request of the Martins Ridge Homeowners Association, Inc., a hearing was scheduled to determine the appropriateness of the request.

Appearing at the hearing on behalf of the Petition were Dan and Angela Thomas, property owners, and Richard Tice and Gary Sipes, represen-

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Date

By

RECEIVED

tatives of Patio Enclosures, Inc. Appearing as Protestants in the matter were JoAnn McCumber, President of the Martins Ridge Homeowners' Association (MRHOA), and Cynthia Hitt, Esquire, attorney for Martins Ridge HOA.

Testimony at the hearing revealed that the subject property consists of 1,620 sq.ft., zoned D.R. 10.5, and is improved with a two story, inside group, townhouse dwelling. The Petitioners are desirous of constructing a one-story addition to the rear of the existing 18-foot wide dwelling. Testimony indicated the proposed improvements are necessary to provide additional living space for their family as well as provide room for a proposed day care facility the Petitioners propose to operate within their home. The Petitioners testified that they notified their neighbors of their plans and that no one had any opposition to their request. The Petitioners also obtained approval of the proposed addition from the Architectural Standards Committee of the Martins Ridge Homeowner's Association, as evidenced by letter dated December 7, 1995 from JoAnn McCumber, a copy of which was submitted and marked as Petitioner's Exhibit 2. Testimony indicated that upon application for a building permit, the Petitioners were advised that the requested variances would be necessary in order to proceed with the proposed improvements.

On behalf of the Protestants, Ms. McCumber testified that she is president of the Board of Directors for the Martins Ridge HOA. She testified that the Architectural Standards Committee did approve the addition, subject, however, to certain terms and conditions, one of which concerned the pitch of the roof. Testimony indicated that the Petitioners were notified by letter dated December 7, 1995 that the Martins Ridge HOA would have no objections to the proposed addition provided the pitch of the roof was the same as that of the existing shed and that all other building and

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Date 11/16/96  
By [Signature]

zoning regulations were met by the Petitioner. Subsequent to the release of that letter, the Martins Ridge HOA issued a revised letter, dated January 23, 1996, in which they approve the addition provided the pitch and height of the family room are the same as that of the existing shed. (emphasis added) The terms and conditions of approval remained the same.

Ms. McCumber further testified concerning other additions in the community which have been approved by the Architectural Standards Committee and did not require variances from Baltimore County. She further stated that all of the townhouses in this development have similar rear yards and that the HOA is concerned that approval of the relief requested will set a precedent for other homeowners in the community.

For an area variance to be granted, the Petitioner must prove that strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

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Date

By

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

April 10, 1996

Mr. & Mrs. Dan Thomas  
46 Chelmsford Court  
Baltimore, Maryland 21220

RE: PETITION FOR ADMINISTRATIVE VARIANCE  
N/S Chelmsford Court, 485' E of the c/l of Londonperry Court  
(46 Chelmsford Court)  
15th Election District - 5th Councilmanic District  
Dan Thomas, et ux - Petitioner  
Case No. 96-297-A

Dear Mr. & Mrs. Thomas:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been denied in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy M. Kotroco".

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: Messrs. R. L. Tice and Gary Sipes  
Patio Enclosures, Inc., 224 8th Avenue, N.W., Glen Burnie, Md. 21061

Cynthia Hitt, Esquire, Siskind, Grady, Rosen & Hoover  
Two East Fayette Street, Baltimore, Md. 21202

Ms. JoAnn McCumber, Martins Ridge HOA  
P.O. Box 3637, Crofton, Md. 21114

People's Counsel; Case File

MICROFILMED





# Petition for Administrative Variance

76-299-A

## to the Zoning Commissioner of Baltimore County

for the property located at 46 CHELMSFORD CT.

which is presently zoned DR10.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

TO PERMIT THE ERECTION OF A SUN PROCH ON THE REAR OF THE HOUSE WITH A REAR YARD SET BACK OF APPROXIMATELY 24' IN LIEU OF THE REQUIRED 30' SET BACK.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

\*SEE REVERSE SIDE

504 (V.B. 6.6 AND V.B. 7, C.M.A.P., 1985) TO PERMIT A YARD AREA of 432 sq ft in lieu of 500 sq ft. A 4.5' window to property line in lieu of 15', AND AMEND THE LAST APPROVED F.O.P. of Village Property is to be posted and advertised as prescribed by Zoning Regulations of Prince Georges I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Legal Owner(s):

(Type or Print Name)

DAN THOMAS  
(Type or Print Name)

Signature

X

Signature

Address

ANGELA THOMAS  
(Type or Print Name)

City

State

Zipcode

X

Signature

Address for Petitioner:

PATIO ENCLOSURES, INC.

(Type or Print Name)

46 CHELMSFORD CT.

574-8490

Address

Phone No

Signature

R. L. TICE, AGENT

BALTIMORE, DM. 21220

City

State

Zipcode

Name, Address and phone number of representative to be contacted

224 8th AVE, N.W.

760-1919

Address

Phone No.

PATIO ENCLOSURES, INC.

Name

GLEN BURNIE, MD. 21061

City

State

Zipcode

224 8th AVE., N.W.

760-1919

Address

Phone No

GLEN BURNIE, MD. 21061

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this \_\_\_ day of \_\_\_, 19\_\_\_ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

REVIEWED BY: [Signature] DATE: 2/7/86

ESTIMATED POSTING DATE: 2/18/86



Printed with Soybean Ink  
on Recycled Paper

ITEM #: 299

ORDER RECEIVED FOR FILING

Date

By

# Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 46 CHELMSFORD CT.  
address  
BALTIMORE, MD. 21220.  
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

1. THIS AREA LENDS ITSELF TO THE UTILIZATION OF EXISTING FACILITIES AND LAND WITHOUT INTERRUPTION OR MAJOR ALTERATIONS TO THE PRESENT FLOOR PLAN PATTERNS.
2. INSULATE AND REDUCE NOISE.
3. REDUCE OUTSIDE NOISE.
4. A PLACE TO SIT OUT AND NOT BE CONCERNED WITH THE WEATHER, BUGS: MOSQUITOES FLYS, ETC.
5. IMPROVE APPEARANCE OF HOUSE.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

X [Signature]  
(signature)  
DAN THOMAS  
(type or print name)



X [Signature]  
(signature)  
ANGELA THOMAS  
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

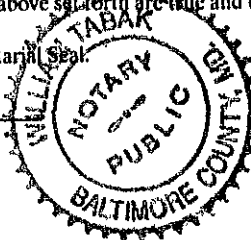
I HEREBY CERTIFY, this 6 day of February, 1996, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Dan Thomas, Angela Thomas

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

2/6/96  
date



[Signature]  
NOTARY PUBLIC

My Commission Expires: 1/16/99

LEGAL DESCRIPTION OF PROPERTY

East

96-299-A

BEGINNING ON THE NORTH SIDE OF CHELMSFORD CT, 40' WIDE,  
AT A DISTANCE OF 470' WEST OF LONDONPERRY CT. BEING  
LOT 108 IN THE SUBDIVISION OF VILLAGE OF PAWNEE.  
BOOK 55, FOLIO 85. ALSO, KNOWN AS 46 CHELMSFORD CT.

# 299

96-297-A

**CERTIFICATE OF POSTING**  
**ZONING DEPARTMENT OF BALTIMORE COUNTY**  
Towson, Maryland

District 15  
Posted for: Variance  
Petitioner: Dan Thomas, et al.  
Location of property: 46 Chelmsford Ct  
Location of Signs: In front of SFID  
Remarks: \_\_\_\_\_  
Posted by: [Signature] Signature  
Number of Signs: 1 Date of return: \_\_\_\_\_

RECORDED

Err 37-64  
2/20/96 4.25

Post by: 2/18/96

CASE NUMBER: 96-297-A(Item 299)  
46 Chelmsford Court  
N/S Chelmsford, 485' E of c/l Londonperry Court  
15th Election District - 5th Councilmanic  
Legal Onwer: Dan Thomas and Angela Thomas

Administrative Variance to permit a yard area of 432 sq. ft. in lieu of 500 sq. ft.; a 5 ft. window to property line in lieu of 15 ft.; and to amend the last approved FDP of Village of Pawnee V.



96-297-A

**CERTIFICATE OF POSTING**  
**ZONING DEPARTMENT OF BALTIMORE COUNTY**  
Towson, Maryland

District 15 Date of Posting 3/14/96  
Posted for: Variance  
Petitioner: DAN THOMAS & ANGELIA THOMAS  
Location of property: 46 CHELMS FORD COURT  
Location of Sign: FRONT LAWN  
Remarks: \_\_\_\_\_  
Posted by [Signature] Date of return: 3/14/96  
Number of Signs: 1 Signature



#### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204, or Room 118, Old Courthouse, 400

Washington Avenue, Towson, Maryland 21204 as follows:

Former Closing Date: 3/4/96  
Case: #96-287-A  
(Item 298)  
48 Chelmsford Court  
N/S Chelmsford, 485' E of c/n  
Lonoperry Court  
15th Election District  
5th Councilmanic  
Legal Owner(s):  
Dan Thomas and Angela Thomas

Variance: to permit a yard area of 432 sq. ft. in lieu of 500 sq. ft., a 4.5 ft. window to property line in lieu of 15 ft., and amend the last approved FDP of Village Of Pawnee, Section V.

Hearing: Tuesday, April 2, 1996 at 2:00 p.m. in Rm. 118, Old Courthouse.

LAWRENCE E. SCHMIDT  
Zoning Commissioner for  
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations, Please Call 887-3363.

(2) For information concerning the file and/or hearing, Please Call 887-3391.

3/18 March 14 - G37101

## CERTIFICATE OF PUBLICATION

TOWSON, MD.,

3/14, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 3/14, 1996.

THE JEFFERSONIAN,

*U. H. Harrison*  
LEGAL AD. - TOWSON

No. 013796

1. Item: 299  
B: 777X

AMOUNT \$ 135.00

RECEIVED FROM: RIC-LEE Grp - 46 Chelmsford Ct  
OIO - Ris Var - \$50.00  
BZO - Sp. Hairy - \$50.00  
CDO - 1 sign - \$35.00 ~~\$135.00~~

1. *Chrysomelids* (Coleoptera: Chrysomelidae) (100%)

[illegible]

1950 1951 1952 1953 1954

**VALIDATION OR SIGNATURE OF CASHIER**

**DISTRIBUTION**  
WHITE - CASHIER      PINK - AGENCY      YELLOW - CUSTOMER

No. 016895

DATE 3/8/96 ACCOUNT R001-6150

AMOUNT \$ 40.00

RECEIVED FROM: Walter Hodge Homeowners Assoc

FOR: Request for Training 96-297-A

UNIVERSITY OF ALABAMA

§ 4.01, 00

82 0011:12A103-00-2

**DISTRIBUTION**  
WHITE - CASHIER      PINK - AGENCY      YELLOW - CUSTOMER

## No. 15100

DATE 3/8/96 ACCOUNT R001-6150

AMOUNT \$ 40.00

RECEIVED FROM: Marlene Kugel Homeowners Assoc

FOR: Request for History 96-297-A

01A0084023MICIRC

\$40.00

EA COLL:19AMD3-08 96

**VALIDATION OR SIGNATURE OF CASHIER**

**DISTRIBUTION**  
WHITE - CASHIER      PINK - AGENCY      YELLOW - CUSTOMER

From: MARTINS RIDGE HOMEOWNER,  
C/O COMANCO, INC.  
To: BALTIMORE COUNTY

, SSN., INC.

Check Date  
02/28/96

Ch. Amount  
\$40.00

Check Number  
000364

Invoice	Date	Description	Gross	Discount	Net
	02/28/96	REQUEST FOR ZONING HEARING	\$40.00		\$40.00

000364

3/11 88 96-847  
8  
**MARTINS RIDGE HOMEOWNERS ASSOCIATION, INC.**  
TO BS

---

% COMANCO, Inc.  
P.O. Box 3637  
Crofton, Maryland 21114

Ann. (410) 721-7171  
Balto. (410) 793-0034  
D.C. (301) 261-8400

February 28, 1996

Mr. Arnold Jablon, Director  
Baltimore County Department of  
Permits and Development Management  
111 West Chesapeake Avenue Room 111  
Towson, MD 21204

Dear Mr. Jablon,

We are writing on behalf of Martins Ridge Homeowners Association, Inc. regarding a request for a zoning hearing for case number 96-297- A.

Enclosed please find a check for forty (\$40.00) dollars to cover administrative expenses.

Please forward all correspondence regarding this request and hearing notice to:

Martins Ridge Home Owners Association, Inc.  
c/o Comanco, Inc.  
P.O. Box 3637  
Crofton, MD 21114

Thanking you in advance for your prompt attention to this request.

Respectfully,



Tanis Gartmond, AMS  
Tel. Ext. - 130  
COMANCO, Inc.  
Management Agent for  
Martins Ridge Homeowners Assn., Inc.

TG:trk

**ENCLOSURE**

cc: Board of Directors  
Martins Ridge

file - Per&Dev1.96H



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighbor property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

\_\_\_\_\_  
ARNOLD JABLON, DIRECTOR

-----  
For newspaper advertising:

Item No.: 299 Petitioner: Dan Thomas

Location: 46 Chelmsford Ct.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Dan Thomas

ADDRESS: 46 Chelmsford Ct.

Baltimore MD 21220

PHONE NUMBER: 410 574-8496

MICROFILMED

TO: PUTUXENT PUBLISHING COMPANY  
March 14, 1996 Issue - Jeffersonian

Please forward billing to:

Dan Thomas  
46 Chalmersford Court  
Baltimore, MD 21220  
574-8490

---

#### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Former Closing Date: 3/4/96  
CASE NUMBER: 96-297-A (Item 299)  
46 Chalmersford Court  
N/S Chalmersford, 485' E of c/l Lonoperry Court  
15th Election District - 5th Councilmanic  
Legal Owner: Dan Thomas and Angela Thomas

Variance to permit a yard area of 432 sq. ft. in lieu of 500 sq. ft., a 4.5 ft. window to property line in lieu of 15 ft., and amend the last approved FDP of Village of Pawnee, Section V.

HEARING: TUESDAY, APRIL 2, 1996 at 2:00 p.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

March 7, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in  
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Former Closing Date: 3/4/96  
CASE NUMBER: 96-297-A (Item 299)  
46 Chemlsford Court  
N/S Chemlsford, 485' E of c/l Lonoperry Court  
15th Election District - 5th Councilmanic  
Legal Owner: Dan Thomas and Angela Thomas

Variance to permit a yard area of 432 sq. ft. in lieu of 500 sq. ft., a 4.5 ft. window to property line in lieu of 15 ft., and amend the last approved FDP of Village of Pawnee, Section V.

HEARING: TUESDAY, APRIL 2, 1996 at 2:00 p.m. in Room 118, Old Courthouse.

A handwritten signature in cursive script, reading 'Arnold Jablon'.

Arnold Jablon  
Director

cc: Dan and Angela Thomas  
Patio Enclosures, Inc.  
Martins Ridge Homeowners Association, Inc.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.







Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

February 15, 1996

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 96-297-A(Item 299)  
46 Chelmsford Court  
N/S Chelmsford, 485' E of c/l Londonperry Court  
15th Election District - 5th Councilmanic  
Legal Onwer: Dan Thomas and Angela Thomas

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before February 18, 1996. The closing date (March 4, 1996) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon  
Director

cc: Dan and Angela Thomas  
Patio Enclosures, Inc.

11/1/96





Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

February 27, 1996

R. L. Tice, Agent  
Patio Enclosures, Inc.  
224 8th Ave., N.W.  
Glen Burnie, MD 21061

RE: Item No.: 299  
Case No.: 96-297-A  
Petitioner: Dan Thomas, et ux

Dear Mr. Tice:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on February 7, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

*W. Carl Richards, Jr.*  
W. Carl Richards, Jr.  
Zoning Supervisor

WCR/jw  
Attachment(s)

MICROFILMED



B A L T I M O R E C O U N T Y, M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM

DATE: February 21, 1996

FROM: Arnold F. "Pat" Keller, III, Director, PO

SUBJECT: 46 Chelmsford Ct.

INFORMATION:

Item Number: 299

Petitioner: Thomas Property

Property Size: \_\_\_\_\_

Zoning: DR-10.5

Requested Action: Administrative Variance

Hearing Date:     /    /    

SUMMARY OF RECOMMENDATIONS:

Pursuant to Section 1B01.3A.7.b(B) of the BCZR, the Director of the Office of Planning finds that the proposed amendment is in accordance with the specific standards and requirements of BCZR Article (1B) and other provisions of the CMDP. Staff offers no comment on the requested Variance.

Prepared by: Jeffrey W. Long

Division Chief: Carol L. Lewis

PK/JL

REC-3



**Maryland Department of Transportation**  
**State Highway Administration**

David L. Winstead  
Secretary  
Hal Kassoff  
Administrator

2-16-96

Ms. Joyce Watson  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. 299 (MJK)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*Bob Small*

*for*

Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/es

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717

BALTIMORE COUNTY, MARYLAND  
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director      DATE: Feb. 26, 1996  
Zoning Administration and Development Management

FROM: *RWB* Robert W. Bowling, P.E., Chief  
Development Plans Review

RE: Zoning Advisory Committee Meeting  
for February 26, 1996  
Items 294, 295, 296, 298, 299, 300, 301, 302, 7  
and 303

The Development Plans Review Division has reviewed  
the subject zoning items and we have no comments.

RWB:sw

*10-2-96*

Baltimore County Government  
Fire Department



700 East Joppa Road  
Towson, MD 21286-5500

Office of the Fire Marshal  
(410) 887-4880

DATE: 02/20/96

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF FEB. 20, 1996

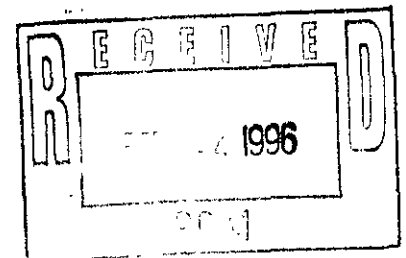
Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 294, 295, 296, 298, 299, 300,  
301, 302 & 304.



REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

MICROFILMED



# 290

DEED -- FEE SIMPLE -- INDIVIDUAL GRANTOR -- LONG FORM

**This Deed,** MADE THIS 27th day of October

in the year one thousand nine hundred and ninety three by and between

DAN L. THOMAS

of the State of Maryland

of the first part, and

DAN L. THOMAS and ANGELA R. THOMAS, his wife

of the second part.

WITNESSETH, That in consideration of the sum of No Consideration, whereas this deed is an inter family transfer from husband to wife, by virtue of a marriage decree, for love and affection and other valuable consideration, thereby exempting the transfer from documentary stamps and transfer tax,

the said DAN L. THOMAS

do hereby grant and convey to the said DAN L. THOMAS and ANGELA R. THOMAS, as tenants by the entirety, and unto the survivor of them and the survivors heirs, their

personal representatives/successors and assigns, in fee simple, all

that lot of ground situate in Baltimore County

and described as follows, that is to say:

BEING KNOWN AND DESIGNATED AS Lot No. 108, as shown on the Plat entitled "Plat II, Section 5, Village of Pawnee", which Plat is recorded among the Land Records of Baltimore County in Plat Book EHK Jr. NO. 55, folio 85. The improvements thereon being known as 46 Chelmsford Court, Baltimore, Maryland 21220.

BEING THAT SAME Lot of ground as described in a Deed dated March 28, 1991 and recorded among the Land Records of Baltimore County, Maryland in Liber 8757 at Folio 68, was granted and conveyed by STERLING HOMES CORPORATION, II unto DAN L. THOMAS, the within named Grantor.

THE WITHIN GRANTEEES DO HEREBY CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE LAND CONVEYED HEREIN IS RESIDENTIALLY IMPROVED OWNER-OCCUPIED REAL PROPERTY AND THAT THE RESIDENCE WILL BE OCCUPIED BY US AS EVIDENCED BY THE SIGNATURES BELOW.

This is to certify the within instrument was prepared under the supervision of an Attorney duly admitted to practice before the Court of Appeals of the State of Maryland.

F. Michael Grace  
F. Michael Grace, Esquire

TRANSFER TAX  
1/10 11/3/93

RECEIVED FOR THE CLERK  
STATE OF MARYLAND  
NOTARY PUBLIC  
for Baltimore County  
1/10 11/3/93  
Date

TOGETHER with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

To HAVE AND TO HOLD the said described lot of ground and premises to the said DAN L. THOMAS and ANGELA R. THOMAS, as tenants by the entirety, and unto the survivor of them and the survivors heirs, their personal representatives/successors and assigns in fee simple.

AND the said party of the first part hereby covenants that he has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that he will warrant specially the property hereby granted; and that he will execute such further assurances of the same as may be requisite.

WITNESS the hands and seals of said grantor and grantees

Test:

[Signature] (SEAL)  
DAN L. THOMAS

[Signature] (SEAL)  
ANGELA R. THOMAS

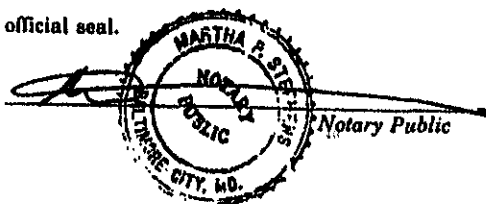
STATE OF MARYLAND, Baltimore County to wit:

I HEREBY CERTIFY, That on this 27th day of October in the year one thousand nine hundred and 93, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared DAN L. Thomas and Angela R. Thomas also appeared known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged the foregoing Deed to be their act, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission expires:

12.1.94



This is to certify that the within instrument has been prepared (i) by or under the supervision of the undersigned Maryland attorney, or (ii) by a party to this instrument.

[Signature]  
(Signature of attorney admitted to practice in Maryland if the instrument has been prepared by or under the supervision of such attorney, or signature of a party to the instrument if such party has prepared the instrument)



PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Richard Tice Patio Enclosure 224 8<sup>th</sup> Ave NW

Dan Thomas Glen Burnie MD 21061

Antonia Thomas 16 Chesapeake CT. 21226

Gary Siper Patio Enclosure 224 8<sup>th</sup> Ave. NW Glen Burnie MD  
21061

### PROTESTANT(S) SIGN-IN SHEET

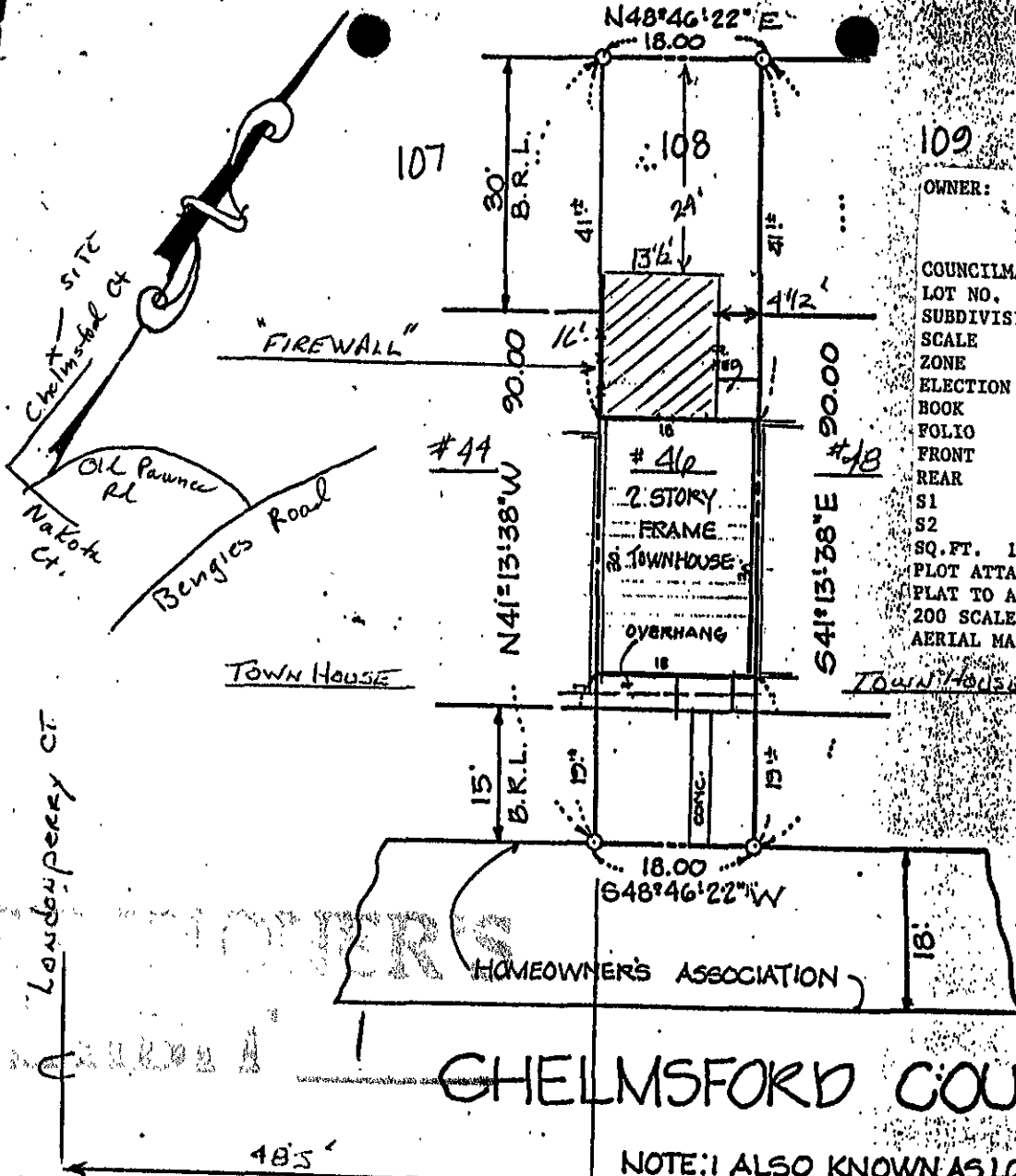
**ADDRESS**

Martins Ridge HOA  
P.O. Box 3637  
Crofton MD 21114

SISKIND, GRADY, ROSEN & HOOVER, P.A.  
TWO EAST FAYETTE STREET  
BALTIMORE, MARYLAND 21202



100



OWNER: DAN THOMAS  
46 CHELMSFORD CT.  
BALTIMORE, MD. 21220

COUNCILMANIC DISTRICT	5
LOT NO.	108
SUBDIVISION VILLAGE OF PAWNEE	
SCALE	1"=20'
ZONE	DR 10.5
ELECTION DISTRICT	15
BOOK	55
FOLIO	85
FRONT	18'
REAR	18'
S1	90'
S2	90'
SQ. FT.	1620 ACRES
PLAT ATTACHED	
PLAT TO ACCOMPANY ZONING VARIANCE	
200 SCALE MAP NE-5I ATTACHED	
AERIAL MAP NE-5I ATTACHED	

Plat for  
Zoning Variance

## CHELMSFORD COURT

NOTE: I ALSO KNOWN AS LOT 108 A SHOWN ON  
"PLAT II, SECTION FIVE VILLAGE  
OF PAWNEE" RECORDED IN  
BALTIMORE CO. MD. IN PLATBOOK 55  
FOLIO 85.

I HEREBY CERTIFY THAT I HAVE MADE A  
SURVEY OF THIS LOT FOR THE PURPOSE OF  
LOCATING THE IMPROVEMENTS THEREON AND  
THAT THEY ARE LOCATED AS SHOWN.  
THIS PLAT IS NOT INTENDED FOR USE IN  
ESTABLISHING PROPERTY LINES.

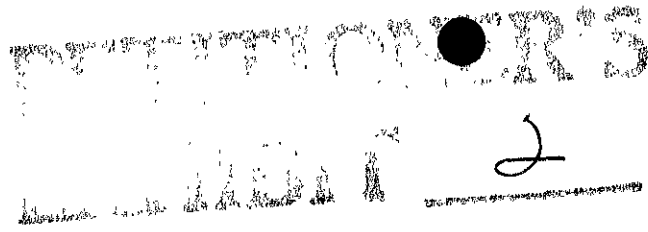
4-18-90 *John C. Mellema* REG. NO. 107

#6295  
1/17/96



LOCATION SURVEY		SCALE
# 46 CHELMSFORD COURT ~ BALTIMORE CO. MD.		1"=20'
JOHN C. MELLEMA SR., INC.		DATE
LAND SURVEYORS		4-18-90
6100 BALTIMORE NATIONAL PIKE - BALTIMORE, MARYLAND 21228		JOB NO.
		90179

96-297-A # 299



MARTINS RIDGE HOMEOWNER'S ASSOCIATION  
ARCHITECTURAL STANDARDS COMMITTEE

December 7, 1995

Mr. and Mrs. Dan Thomas  
46 Chelmsford Court  
Baltimore, Maryland 21220

Re: 46 Chelmsford Court

Dear Mr. and Mrs. Thomas,

This letter will acknowledge receipt of your request regarding the family room you propose to build in the rear yard of the subject property.

At a meeting of the Architectural Standards Committee, it was decided that you may proceed with the installation of your family room subject to the following standards:

1. Obtain a Baltimore County Building Permit and forward to the Architectural Committee before construction **begins**. This is to assure all homeowners that all regulations, such as those regarding fire retardancy, are being followed.
2. The **pitch** of the family room roof must be the **same** as that of the **existing shed**. The roof is to be covered with shingles that **match** the roof shingles presently on the townhouse. ("Weathered Wood" manufactured by Certainteed.)
3. Gutters need to be installed on the roof to control water run off. These gutters (cream color) should match the existing gutters on the house.
4. All **vinyl siding** and trim work must match the existing colors of your home.

Mr. and Mrs. Thomas  
Page 2

These standards currently apply to all similar structures proposed and constructed by homeowners within our community.

Once again, we remind you that this approval does not relieve you of the responsibility of complying with all Baltimore County Building and Zoning regulations including obtaining the required permits. It further will be the owner's responsibility to insure that proper surface drainage is not impeded or altered by any architectural changes.

We thank you for your cooperation in this matter and your recognition of the value of the architectural guidelines that have been established for "Martins Ridge".

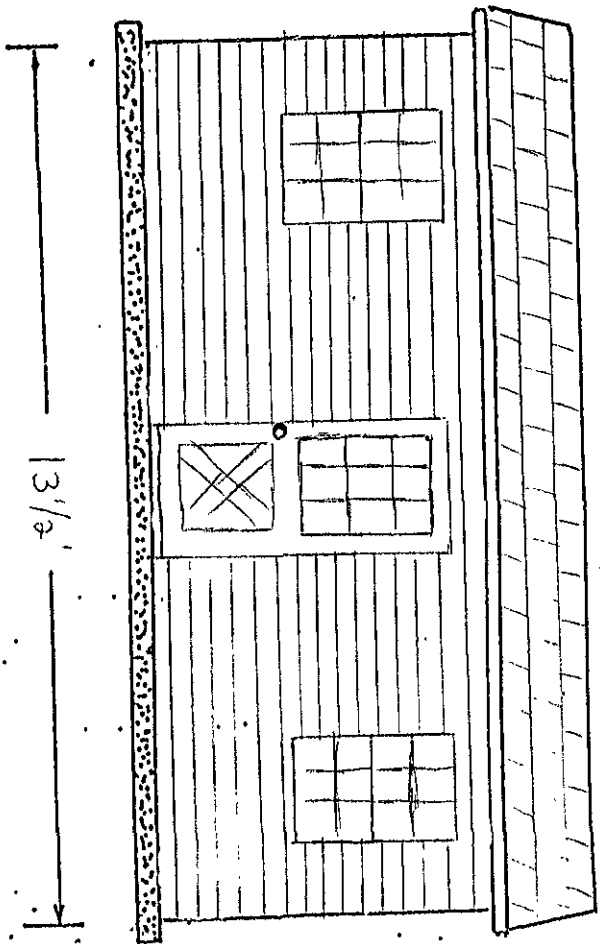
Sincerely,

ARCHITECTURAL STANDARDS COMMITTEE

Jo Ann McCumber  
Chairperson

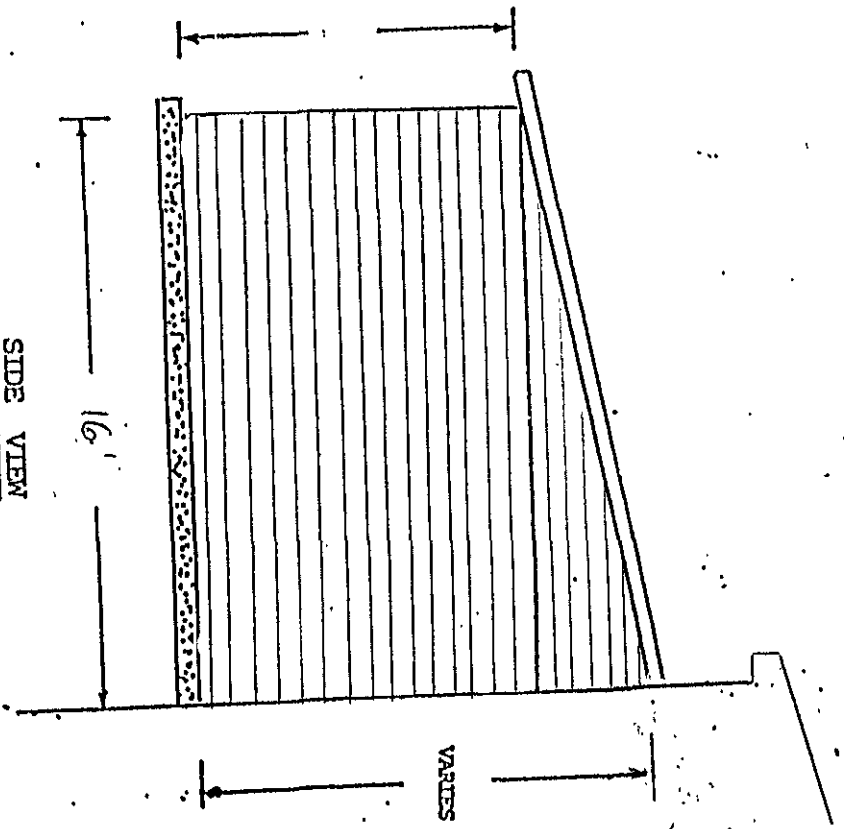
cc: COMANCO, Inc., Attn: Tanis Gartmond  
Property File

CONSTRUCTION ON CONCRETE PAD



FRONT VIEW

13' 3/4"



SIDE VIEW

16'

VARIES

PATIO ENCLOSURES INC.	
SCALE - <del>(NAME)</del>	DATE
NAME Mrs. Dan Thomas	11/28/95

46 Chelmsford Court  
Baltimore MD 21230

100-13

MICROFILMED

# PROTESTANTS

## EXHIBIT NO. 1

### MARTINS RIDGE HOMEOWNER'S ASSOCIATION ARCHITECTURAL STANDARDS COMMITTEE

January 23, 1996

Mr. and Mrs. Dan Thomas  
46 Chelmsford Court  
Baltimore, Maryland 21220

#### REVISED LETTER

Re: 46 Chelmsford Court

Dear Mr. and Mrs. Thomas,

This letter will acknowledge receipt of your request regarding the family room you propose to build in the rear yard of the subject property.

At a meeting of the Architectural Standards Committee, it was decided that you may proceed with the installation of your family room subject to the following standards:

1. Obtain a Baltimore County Building Permit and forward to the Architectural Committee before construction **begins**. This is to assure all homeowners that all regulations, such as those regarding fire retardancy, are being followed.
2. The **pitch and height** of the family room roof must be the **same** as that of the **existing shed**. The roof is to be covered with shingles that **match** the roof shingles presently on the townhouse. ("Weathered Wood" manufactured by Certainteed.)
3. Gutters need to be installed on the roof to control water run off. These gutters (cream color) should match the existing gutters on the house.
4. All **vinyl siding** and trim work must match the existing colors of your home.

WILLIAM J. HARRIS

Mr. and Mrs. Thomas  
Page 2

These standards currently apply to all similar structures proposed and constructed by homeowners within our community.

Once again, we remind you that this approval does not relieve you of the responsibility of complying with all Baltimore County Building and Zoning regulations including obtaining the required permits. It further will be the homeowner's responsibility to insure that proper surface drainage is not impeded or altered by any architectural changes.

We thank you for your cooperation in this matter and your recognition of the value of the architectural guidelines that have been established for "Martins Ridge".

Sincerely,

ARCHITECTURAL STANDARDS COMMITTEE

Jo Ann McCumber  
Chairperson

cc: COMANCO, Inc., Attn: Tanis Gartmond  
Property File





# BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS AND LICENSES  
TOWSON, MARYLAND 21204

*John R. Ring*  
BUILDINGS ENGINEER

## BUILDING PERMIT

PERMIT #: B242272 CONTROL #: MR DIST: 15 PREC: 04  
DATE ISSUED: 07/24/95 TAX ACCOUNT #: 2000011154 CLASS: 04

PLANS: CONST 0 PLOT 1 R PLAT 0 DATA 0 ELEC NO PLUM NO  
LOCATION: 62 CHELMSFORD CT  
SUBDIVISION: VILLAGE OF PAWNEE

OWNERS INFORMATION  
NAME: MCCUMBER, DONALD  
ADDR: 62 CHELMSFORD CT

TENANT:  
CONTR: OWNER  
ENGR:   
SELLR:

WORK: CONSTRUCT WOOD ROOF OVER EX REAR EX PATIO  
17X10X12-170 SF/ TO REMAIN OPEN/ IN ACCORDANCE  
W/ CODE MEMO #1/ NOT CBCA OR FP/ LMA ESSEX OFF

BLDG. CODE: BOCA CODE  
RESIDENTIAL CATEGORY: TOWNHOUSE

OWNERSHIP: PRIVATELY OWNED

ESTIMATED \$ PROPOSED USE: SETH & ATT ROOF  
1,000.00 EXISTING USE: SETH

TYPE OF IMPRV: ADDITION  
USE: ONE FAMILY  
FOUNDATION:  
SEWAGE: PUBLIC EXIST

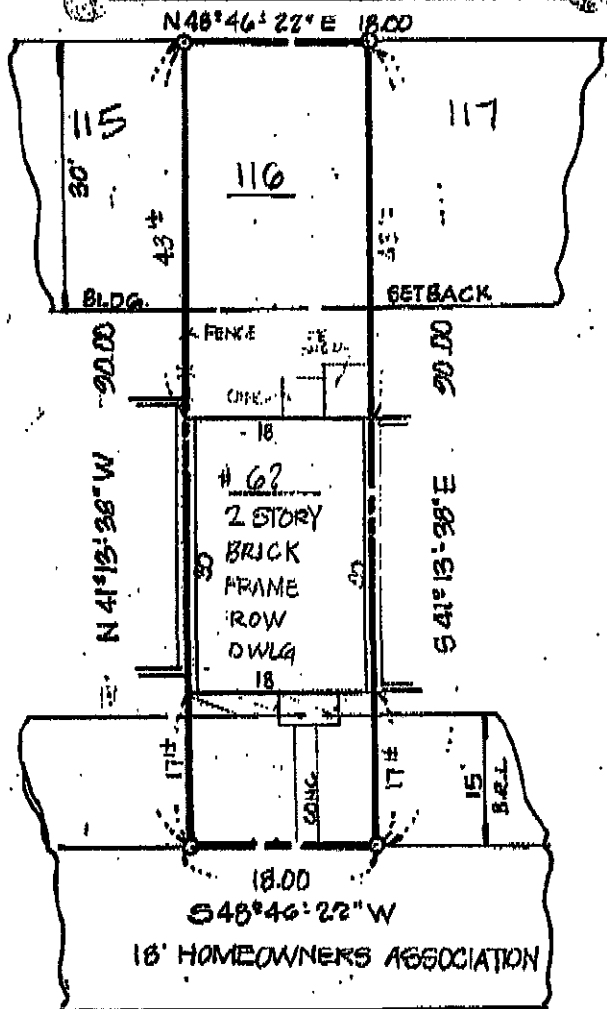
BASEMENT:  
WATER: PUBLIC EXIST

### LOT SIZE AND SETBACKS

SIZE: 0018.00 X 0090.00  
FRONT STREET:  
SIDE STREET:  
FRONT SETB: N/C  
SIDE SETB: 6"-6"  
SIDE STR SETB:  
REAR SETB: 30'

THIS PERMIT  
EXPIRES ONE  
YEAR FROM DATE  
OF ISSUE

URGENT		Date	4/2/96	# of pages	4
Post-It Fax Note 7671		To	Cindy		
		From	Ann McCumber		
		Co./Dept.	Martins Ridge		
		Phone #	545-5690		
		Fax #			



CHELMSFORD COURT

NOTE: I ALSO KNOWN AS LOT 116 A SHOWN ON  
"PLAT II, SECTION FIVE VILLAGE  
OF PAWNEE" RECORDED IN  
BALTIMORE CO. MD. IN PLATBOOK 55  
FOLIO 85.

I HEREBY CERTIFY THAT I HAVE MADE A  
SURVEY OF THIS LOT FOR THE PURPOSE OF  
LOCATING THE IMPROVEMENTS THEREON AND  
THAT THEY ARE LOCATED AS SHOWN.  
THIS PLAT IS NOT INTENDED FOR USE IN  
ESTABLISHING PROPERTY LINES.

6-11-90 John C. Mellema REG. NO. 107



LOCATION	SURVEY	SCALE
#62 CHELMSFORD COURT	BALTIMORE CO. MD.	1"=20'
JOHN C. MELLEMA SR., INC.		DATE
LAND SURVEYORS		6-11-90
6100 BALTIMORE NATIONAL PIKE - BALTIMORE, MARYLAND 21228		JOB NO.
		30382

**BALTIMORE COUNTY, MARYLAND****DEPARTMENT OF PERMITS AND LICENSES  
TOWSON, MARYLAND 21204***John R. King*  
**BUILDINGS ENGINEER****BUILDING PERMIT****PERMIT #: B137914 CONTROL #: MR DIST: 15 PREC: 04  
DATE ISSUED: 07/22/92 TAX ACCOUNT #: 2000011107 CLASS: 04****PLANS: CONST 0 PLOT 1 R PLAT 0 DATA 0 ELEC NO PLUM NO  
LOCATION: 515 GLOUCESTER CT  
SUBDIVISION: VILLAGE OF PANTEE****OWNERS INFORMATION****NAME: MANNING, RUTH ANN (HARRISON)  
ADDR: 515 GLOUCESTER CT, 21220****TENANT:****CONTR: OWNER****ENGR:****SELLR:****WORK: CONSTRUCT ROOF & SCREEN OF PART OF EX REAR  
DECK/ 11'X10'3X12'-113 SF/  
IN ACCORDANCE WITH CODE MEMO #1/ REQUIRES  
FOOTINGS/ NOT IN CBCA/ LMC ESSEX OFFICE****BLDG. CODE: BOCA CODE****RESIDENTIAL CATEGORY: TOWNHOUSE****OWNERSHIP: PRIVATELY OWNED****ESTIMATED \$ PROPOSED USE: 5FTH & SCREENED DECK  
600.00 EXISTING USE: 5FTH & OPEN DECK****TYPE OF IMPRV: ADDITION****USE: ONE FAMILY****FOUNDATION:****SEWAGE: PUBLIC EXIST****BASEMENT:****WATER: PUBLIC EXIST****LOT SIZE AND SETBACKS****SIZE: 010/010X097/097****FRONT STREET:****SIDE STREET:****FRONT SETB: N/C****SIDE SETB: 2'5'****SIDE STR SETB:****REAR SETB: 37'9**



April 17, 1990

Mr. and Mrs. Stephen Schreck  
513 Gloucester Court  
Baltimore, MD 21220

## PROTESTANTS EXHIBIT NO. 3

Re: 513 Gloucester Court

Dear Mr. and Mrs. Schreck:

This letter will acknowledge receipt on April 5, 1990, of your letter and sketch dated April 3, 1990, describing the location and type of patio enclosure, revised sundeck plan and storm door you propose to erect within the rear yard and front door of the subject property.

We are pleased to advise that you may proceed with the patio enclosure, sundeck and storm door as proposed subject to the following:

1. The color of the sundeck must be a natural wood finish.
2. Materials used in the construction of the sundeck will be "pressure treated" lumber.
3. Railing around the perimeter of the sundeck must be constructed with 2" x 2" vertical wood pickets for similar rail appearance as other sundecks in the community.
4. Roof of patio enclosure to have a 4 - 12 pitch and adjoin the rear wall of the house at the same elevation as the existing roof of the existing shed. (under the bedroom windows and above the exhaust vents)

We remind you that this approval does not relieve you of the responsibility of complying with all Baltimore County Building and Zoning regulations, including permits where required. It further will be the owner's responsibility to insure that proper surface drainage is not impeded or altered by the installation of the sundeck and patio enclosure.

We thank you for your cooperation in this matter and your recognition of the value of the architectural guidelines that have been established for "Martins Ridge".

Sincerely,  
ARCHITECTURAL CONTROL COMMITTEE

Lee Brown  
Director

LB/kg

cc: COMANCO, Inc., Attn: Jason Faust  
Property file  
Sales/Construction office

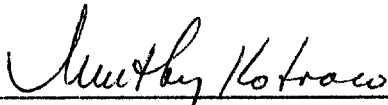
7133 Rutherford Road • Baltimore, Maryland 21207 • (301) 281-1700

After due consideration of the testimony and evidence presented, there does not appear to be sufficient evidence to allow a finding that the Petitioners would experience practical difficulty or unreasonable hardship if the requested variance were denied. In the opinion of this Deputy Zoning Commissioner, the proposed addition is considerably large for this property and will result in an overdevelopment of the land. The testimony presented by Petitioners was in support of a matter of preference rather than of the necessity for the variance. The Petitioners have failed to show that compliance would unreasonably prevent the use of the property or be unnecessarily burdensome. Thus, the variance requested must be denied.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be denied.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 10<sup>th</sup> day of April, 1996 that the Petition for Variance seeking relief from Section 504 of the Baltimore County Zoning Regulations (B.C.Z.R.) {Sections V.B.6.b and V.B.7 of the Comprehensive Manual of Development Policies (C.M.D.P.), 1985} to permit a yard area of 432 sq.ft. in lieu of the minimum required 500 sq.ft., a window to property line setback of 4.5 feet in lieu of the required 15 feet, and to amend the last approved Final Development Plan of the Village of Pawnee, Section V, accordingly, for a proposed 13.5' x 16' addition in accordance with Petitioner's Exhibit 1, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that the Petitioners shall have thirty (30) days from the date of this Order in which to file an appeal.

  
TIMOTHY M. KOTROCO



# BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS AND LICENSES  
TOWSON, MARYLAND 21204

*John R. Ring*  
BUILDINGS ENGINEER

## BUILDING PERMIT

PERMIT #: B251997 CONTROL #: MR DIST: 15 PREC: 05  
DATE ISSUED: 11/01/95 TAX ACCOUNT #: 2000011134 CLASS: 04

PLANS: CONST 0 PLOT 1 R PLAT 0 DATA 0 ELEC NO PLUM NO  
LOCATION: 22 CHELMSFORD CT  
SUBDIVISION: VILLAGE OF PAWNEE

### OWNERS INFORMATION

NAME: BURGER, RANCE L & DONNA RENEE  
ADDR: 22 CHELMSFORD CT. 21220

### TENANT:

CONTR: OWNER

ENGNR:

SELLR:

WORK: REMOVE EX. 4'X6' = 24 SF. GARDEN SHED FROM REAR  
OF EX. SFTH. CONST. A SUNROOM ONTO REAR OF EX.  
SFTH - 12.67'X10.5'X11' = 165 SF. TO BE BUILT IN  
ACCORDANCE W/CODE MEMO #1 house to end of add.

BLDG. CODE: BOCA CODE

RESIDENTIAL CATEGORY: TOWNHOUSE

OWNERSHIP: PRIVATELY OWNED

ESTIMATED \$ PROPOSED USE: SFTH & SUNROOM ADDITION  
4,500.00 EXISTING USE: SFTH

TYPE OF IMPRV: ADDITION

USE: ONE FAMILY

FOUNDATION: SLAB

SEWAGE: PUBLIC EXIST

BASEMENT: NONE

WATER: PUBLIC EXIST

### LOT SIZE AND SETBACKS

SIZE: 0018.00 X 0090.00

FRONT STREET:

SIDE STREET:

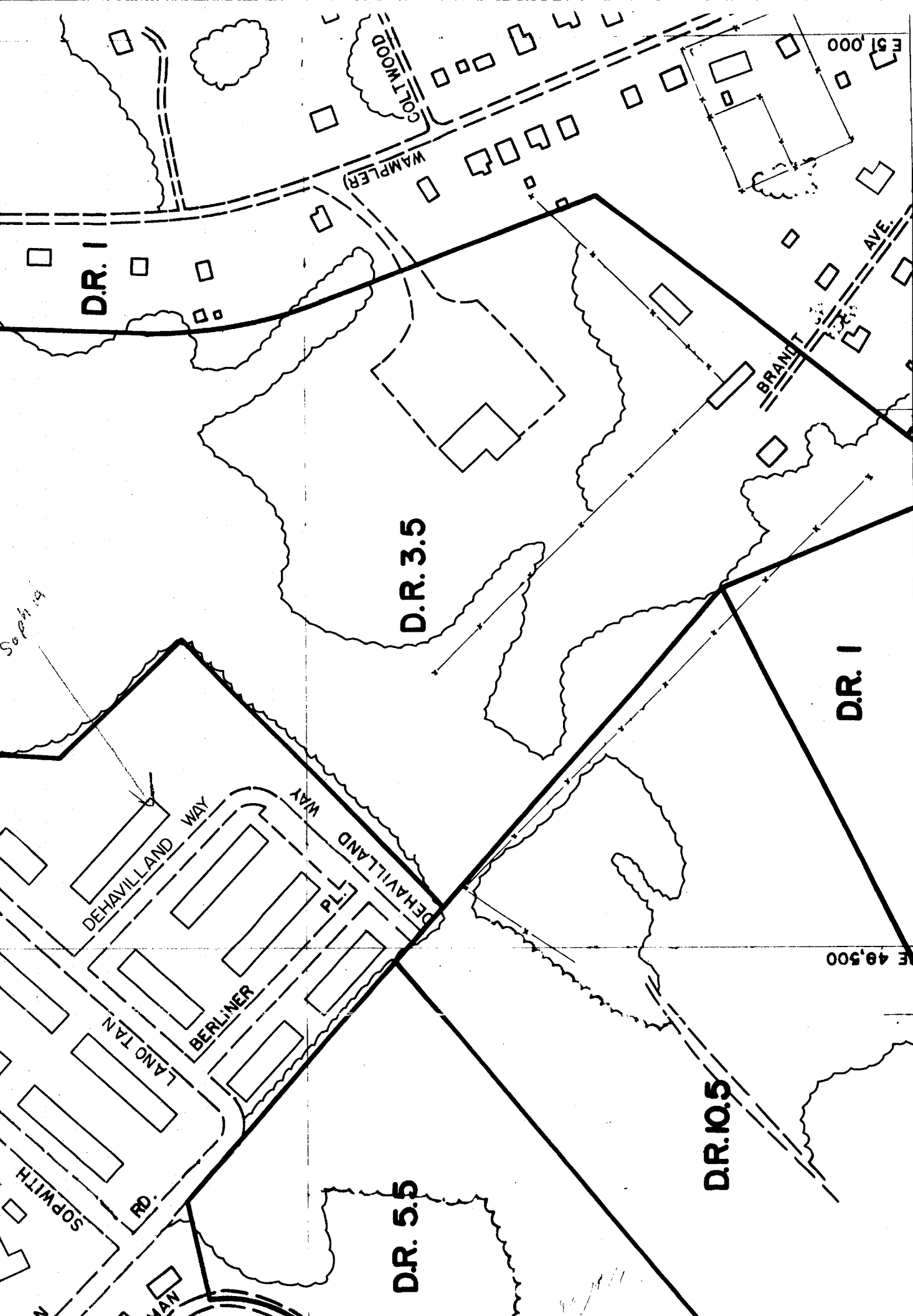
FRONT SETB: NC

SIDE SETB: 1' / 1'

SIDE STR SETB:

REAR SETB: 31'

THIS PERMIT  
EXPIRES ONE  
YEAR FROM DATE  
OF ISSUE



(SHEET N.)

BALTIMORE

# 299



IN RE: PETITION FOR ADMIN. VARIANCE  
N/S Chelmsford Court, 485' E of  
the 2/1 of Londonperry Court  
(46 Chelmsford Court)  
15th Election District  
5th Councilmanic District  
Dan Thomas, et ux  
Petitioner

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 96-297-A

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance for that property known as 46 Chelmsford Court, located in the Village of Pawnee near Wampler Road in Middle River. The Petition was filed by the owners of the property, Dan and Angela Thomas, and R.L. Tice, Agent for Patio Enclosures, Inc. The Petitioners seek relief from Section 504 of the Baltimore County Zoning Regulations (B.C.Z.R.) (Sections V.B.6.b and V.B.7 of the Comprehensive Manual of Development Policies (C.M.D.P.), 1985) to permit a yard area of 432 sq.ft. in lieu of the minimum required 500 sq.ft., a window to property line setback of 4.5 feet in lieu of the required 15 feet, and to amend the last approved Final Development Plan of the Village of Pawnee, Section V, accordingly, for a proposed 13.5' x 16' addition. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

As noted above, the relief requested was filed through the administrative variance procedure. However, at the request of the Martins Ridge Homeowners Association, Inc., a hearing was scheduled to determine the appropriateness of the request.

Appearing at the hearing on behalf of the Petition were Dan and Angela Thomas, property owners, and Richard Tice and Gary Sipes, represen-

tatives of Patio Enclosures, Inc. Appearing as Protestants in the matter were Joann McCumber, President of the Martins Ridge Homeowners' Association (MRHOA), and Cynthia Hitt, Esquire, attorney for Martins Ridge HOA.

Testimony at the hearing revealed that the subject property consists of 1,620 sq.ft., zoned D.R. 10.5, and is improved with a two story, inside group, townhouse dwelling. The Petitioners are desirous of constructing a one-story addition to the rear of the existing 19-foot wide dwelling. Testimony indicated the proposed improvements are necessary to provide additional living space for their family as well as provide room for a proposed day care facility the Petitioners propose to operate within their home. The Petitioners testified that they notified their neighbors of their plans and that no one had any opposition to their request. The Petitioners also obtained approval of the proposed addition from the Architectural Standards Committee of the Martins Ridge Homeowner's Association, as evidenced by letter dated December 7, 1995 from Joann McCumber, a copy of which was submitted and marked as Petitioner's Exhibit 2. Testimony indicated that upon application for a building permit, the Petitioners were advised that the requested variances would be necessary in order to proceed with the proposed improvements.

On behalf of the Protestants, Ms. McCumber testified that she is president of the Board of Directors for the Martins Ridge HOA. She testified that the Architectural Standards Committee did approve the addition, subject, however, to certain terms and conditions, one of which concerned the pitch of the roof. Testimony indicated that the Petitioners were notified by letter dated December 7, 1995 that the Martins Ridge HOA would have no objections to the proposed addition provided the pitch of the roof was the same as that of the existing shed and that all other building and

zoning regulations were met by the Petitioner. Subsequent to the release of that letter, the Martins Ridge HOA issued a revised letter, dated January 23, 1996, in which they approve the addition provided the pitch and height of the family room are the same as that of the existing shed. (emphasis added) The terms and conditions of approval remained the same.

Ms. McCumber further testified concerning other additions in the community which have been approved by the Architectural Standards Committee and did not require variances from Baltimore County. She further stated that all of the townhouses in this development have similar rear yards and that the HOA is concerned that approval of the relief requested will set a precedent for other homeowners in the community.

For an area variance to be granted, the Petitioner must prove that strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, there does not appear to be sufficient evidence to allow a finding that the Petitioners would experience practical difficulty or unreasonable hardship if the requested variance were denied. In the opinion of this Deputy Zoning Commissioner, the proposed addition is considerably large for this property and will result in an overdevelopment of the land. The testimony presented by Petitioners was in support of a matter of preference rather than of the necessity for the variance. The Petitioners have failed to show that compliance would unreasonably prevent the use of the property or be unnecessarily burdensome. Thus, the variance requested must be denied.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be denied.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 10<sup>th</sup> day of April, 1996 that the Petition for Variance seeking relief from Section 504 of the Baltimore County Zoning Regulations (B.C.Z.R.) (Sections V.B.6.b and V.B.7 of the Comprehensive Manual of Development Policies (C.M.D.P.), 1985) to permit a yard area of 432 sq.ft. in lieu of the minimum required 500 sq.ft., a window to property line setback of 4.5 feet in lieu of the required 15 feet, and to amend the last approved Final Development Plan of the Village of Pawnee, Section V, accordingly, for a proposed 13.5' x 16' addition in accordance with Petitioner's Exhibit 1, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that the Petitioners shall have thirty (30) days from the date of this Order in which to file an appeal.

*Timothy M. Kotroco*  
TIMOTHY M. KOTROCO

ORDER RECEIVED FOR FILING  
Date 4/10/96  
By [Signature]

ORDER RECEIVED FOR FILING  
Date 4/10/96  
By [Signature]

ORDER RECEIVED FOR FILING  
Date 4/10/96  
By [Signature]

ORDER RECEIVED FOR FILING  
Date 4/10/96  
By [Signature]

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning  
(410) 887-4386  
April 10, 1996

Mr. & Mrs. Dan Thomas  
46 Chelmsford Court  
Baltimore, Maryland 21220

RE: PETITION FOR ADMINISTRATIVE VARIANCE  
N/S Chelmsford Court, 485' E of the c/l of Londonperry Court  
(46 Chelmsford Court)  
15th Election District - 5th Councilmanic District  
Dan Thomas, et ux - Petitioner  
Case No. 96-297-A

Dear Mr. & Mrs. Thomas:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been denied in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,  
*Timothy M. Kotroco*  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs  
cc: Messrs. R. L. Tice and Gary Sipes  
Patio Enclosures, Inc., 224 8th Avenue, N.W., Glen Burnie, Md. 21061  
Cynthia Hitt, Esquire, Siskind, Grady, Rosen & Hoover  
Two East Fayette Street, Baltimore, Md. 21202

Ms. Joann McCumber, Martins Ridge HOA  
P.O. Box 3637, Crofton, Md. 21114  
People's Counsel; Case File

### Petition for Administrative Variance to the Zoning Commissioner of Baltimore County for the property located at 46 CHELMSFORD CT. which is presently zoned DR10.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.  
The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)  
TO VARY THE REQUIREMENTS OF THE ZONING REGULATIONS OF BALTIMORE COUNTY, TO PERMIT A YARD AREA OF 432 SQ. FT. IN LIEU OF THE REQUIRED 500 SQ. FT. AND TO AMEND THE LAST APPROVED FINAL DEVELOPMENT PLAN OF THE VILLAGE OF PAWNEE, SECTION V, ACCORDINGLY, FOR A PROPOSED 13.5' X 16' ADDITION.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

\*SEE REVERSE SIDE  
504' V.B.6.b and V.B.7, C.M.D.P., 1985) TO PERMIT A YARD AREA OF 432 SQ. FT. IN LIEU OF 500 SQ. FT. AND TO AMEND THE LAST APPROVED FINAL DEVELOPMENT PLAN OF THE VILLAGE OF PAWNEE, SECTION V, ACCORDINGLY, FOR A PROPOSED 13.5' X 16' ADDITION.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Correct Purchaser/Lessor:  
(Type or Print Name)  
Signature  
Address  
City State Zipcode

Legal Owner(s):  
DAN THOMAS  
(Type or Print Name)  
Signature  
ANGELA THOMAS  
(Type or Print Name)  
Signature

Agent:  
R. L. TICE, AGENT  
(Type or Print Name)  
Signature  
Address  
City State Zipcode

Patron:  
PATIO ENCLOSURES, INC.  
(Type or Print Name)  
Signature  
Address  
City State Zipcode

224 8th AVE, N.W. 760-1919  
GLEN BURNIE, MD. 21061  
City State Zipcode

224 8th AVE., N.W. 760-1919  
GLEN BURNIE, MD. 21061  
City State Zipcode

A Public hearing has been requested and/or held to be required. It is ordered by the Zoning Commissioner of Baltimore County, this 10<sup>th</sup> day of April, 1996, that the subject matter of this petition be set for a public hearing, to be held on April 10, 1996, at 2:00 PM, in the Zoning Administration and Development Management office of Baltimore County, and that the property be reported.

REVIEWED BY: TMK DATE: 4/10/96  
ESTIMATED POSTING DATE: 4/10/96

Printed with Styrene Ink on Recycled Paper  
ITEM # 297

### Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/are presently reside at 46 CHELMSFORD CT.  
Address  
BALTIMORE, MD. 21220  
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (Indicate hardship or practical difficulty)

1. THIS AREA LENDS ITSELF TO THE UTILIZATION OF EXISTING FACILITIES AND LAND WITHOUT INTERRUPTION OR MAJOR ALTERATIONS TO THE PRESENT FLOOD PLAN PATTERNS.
2. INSULATE AND REDUCE HEATING BILLS.
3. REDUCE OUTSIDE NOISE.
4. A PLACE TO SIT OUT AND NOT BE CONCERNED WITH THE WEATHER, BUGS: MOSQUITOES, FLIES, ETC.
5. IMPROVE APPEARANCE OF HOUSE.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

*Dan Thomas*  
Signature  
DAN THOMAS  
(Type or Print Name)  
Signature  
ANGELA THOMAS  
(Type or Print Name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:  
I HEREBY CERTIFY, this 6 day of February, 1996, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

*Dan Thomas*  
*Angela Thomas*  
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notary Seal this 6 day of February, 1996.

*[Signature]*  
My Commission Expires: 11/1/96

#### LEGAL DESCRIPTION OF PROPERTY

BEGINNING ON THE NORTH SIDE OF CHELMSFORD CT, 40' WIDE, AT A DISTANCE OF 470' WEST OF LONDONPERRY CT. BEING LOT 108 IN THE SUBDIVISION OF VILLAGE OF PAWNEE. LOT 55, FOLIO 85. ALSO, KNOWN AS 46 CHELMSFORD CT.

96-297-A

# 297



**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 15 Date of Posting: 2/20/96  
 Posted for: Variance  
 Petitioner: Dan Thomas et al  
 Location of property: 46 Chelmsford Ct  
 Location of Sign: In front of SFD  
 Remarks: \_\_\_\_\_  
 Posted by: [Signature] Date of return: \_\_\_\_\_  
 Number of Signs: 1

**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 15 Date of Posting: 3/14/96  
 Posted for: Variance  
 Petitioner: Dan Thomas & Angela Thomas  
 Location of property: 46 Chelmsford Court  
 Location of Sign: Front Lawn  
 Remarks: \_\_\_\_\_  
 Posted by: [Signature] Date of return: 3/14/96  
 Number of Signs: 1

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE: 2/21/96 ACCOUNT: 01-615  
 AMOUNT: \$ 135.00

RECEIVED FROM: RIC-LEE GIP - 46 Chelmsford Ct.  
 FROM: 010 - 264.00 - \$ 50.00  
030 - 50.00 - \$ 30.00  
050 - 1.00 - \$ 35.00  
070 - 1.00 - \$ 35.00

VALIDATION OR SIGNATURE OF CASHIER

**MARTINS RIDGE HOMEOWNERS ASSOCIATION, INC.**

% COMANCO, Inc.  
P.O. Box 3637  
Crofton, Maryland 21114

Ann. (410) 721-7171  
Balti. (410) 783-0034  
D.C. (301) 281-6400

February 28, 1996

Mr. Arnold Jablon, Director  
Baltimore County Department of  
Permits and Development Management  
111 West Chesapeake Avenue Room 111  
Towson, MD 21204

Dear Mr. Jablon,

We are writing on behalf of Martins Ridge Homeowners Association, Inc. regarding a request for a zoning hearing for case number 96-297-A.

Enclosed please find a check for forty (\$40.00) dollars to cover administrative expenses.

Please forward all correspondence regarding this request and hearing notice to:

Martins Ridge Home Owners Association, Inc.  
c/o Comanco, Inc.  
P.O. Box 3637  
Crofton, MD 21114

Thanking you in advance for your prompt attention to this request.

Respectfully,

[Signature]  
Tanis Gartmond, AMS  
Tel. Ext. - 130  
COMANCO, Inc.  
Management Agent for  
Martins Ridge Homeowners Assn., Inc.

TG:trk  
ENCLOSURE  
cc: Board of Directors  
Martins Ridge  
111 West Chesapeake Avenue

Post by: 2/18/96

CASE NUMBER: 96-297-A (Item 299)  
46 Chelmsford Court  
N/S Chelmsford, 485' E of c/l Londorperry Court  
15th Election District - 5th Councilmanic  
Legal Owner: Dan Thomas and Angela Thomas

Administrative Variance to permit a yard area of 432 sq. ft. in lieu of 500 sq. ft.; a 5 ft. window to property line in lieu of 15 ft.; and to amend the last approved FDP of Village of Pawnee V.

**CERTIFICATE OF PUBLICATION**

TOWSON, MD. 3/14, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 3/14, 1996.

THE JEFFERSONIAN,  
[Signature]  
LEGAL AD. - TOWSON

NOTICE OF HEARING  
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204, on Tuesday, April 2, 1996 at 2:00 p.m. in Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:  
 Former Closing Date: 3/4/96  
 CASE NUMBER: 96-297-A (Item 299)  
 46 Chelmsford Court  
 N/S Chelmsford, 485' E of c/l Londorperry Court  
 15th Election District - 5th Councilmanic  
 Legal Owner: Dan Thomas and Angela Thomas  
 Variance to permit a yard area of 432 sq. ft. in lieu of 500 sq. ft.; a 5 ft. window to property line in lieu of 15 ft.; and to amend the last approved FDP of Village of Pawnee, Section V.  
 Hearing: Tuesday, April 2, 1996 at 2:00 p.m. in Room 118, Old Courthouse.  
 LAWRENCE E. SCHMIDT  
 Zoning Commissioner for Baltimore County  
 NOTES: (1) Hearings are handicapped accessible. For special accommodations please call 887-3353.  
 (2) For information concerning the file and/or hearing, please call 887-3391.  
 3/14 March 14 1996

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE: 3/18/96 ACCOUNT: R001-L150  
 AMOUNT: \$ 40.00

RECEIVED FROM: Martins Ridge Homeowners Assoc  
 FROM: Request for hearing 96-297-A

VALIDATION OR SIGNATURE OF CASHIER



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

**ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES**

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

**PAYMENT WILL BE MADE AS FOLLOWS:**

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

**For newspaper advertising:**

Item No.: 299 Petitioner: Dan Thomas

Location: 46 Chelmsford Ct.

**PLEASE FORWARD ADVERTISING BILL TO:**

NAME: Dan Thomas

ADDRESS: 46 Chelmsford Ct.

Beth MD 21220

PHONE NUMBER: 410 574-8466

TO: FUTURE PUBLISHING COMPANY  
March 14, 1996 Issue - Jeffersonian

Please forward billing to:  
 Dan Thomas  
 46 Chelmsford Court  
 Baltimore, MD 21220  
 574-8460

**NOTICE OF HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204, on Tuesday, April 2, 1996 at 2:00 p.m. in Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Former Closing Date: 3/4/96  
 CASE NUMBER: 96-297-A (Item 299)  
 46 Chelmsford Court  
 N/S Chelmsford, 485' E of c/l Londorperry Court  
 15th Election District - 5th Councilmanic  
 Legal Owner: Dan Thomas and Angela Thomas

Variance to permit a yard area of 432 sq. ft. in lieu of 500 sq. ft.; a 5 ft. window to property line in lieu of 15 ft.; and amend the last approved FDP of Village of Pawnee, Section V.

HEARING: TUESDAY, APRIL 2, 1996 at 2:00 p.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
 (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

March 7, 1996

**NOTICE OF HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204, on Tuesday, April 2, 1996 at 2:00 p.m. in Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Former Closing Date: 3/4/96  
 CASE NUMBER: 96-297-A (Item 299)  
 46 Chelmsford Court  
 N/S Chelmsford, 485' E of c/l Londorperry Court  
 15th Election District - 5th Councilmanic  
 Legal Owner: Dan Thomas and Angela Thomas

Variance to permit a yard area of 432 sq. ft. in lieu of 500 sq. ft.; a 5 ft. window to property line in lieu of 15 ft.; and amend the last approved FDP of Village of Pawnee, Section V.

HEARING: TUESDAY, APRIL 2, 1996 at 2:00 p.m. in Room 118, Old Courthouse.

Arnold Jablon  
Director

cc: Dan and Angela Thomas  
 Patis Enclomures, Inc.  
 Martins Ridge Homeowners Association, Inc.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
 (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
 (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

February 15, 1996

**NOTICE OF CASE NUMBER ASSIGNMENT**

Re: CASE NUMBER: 96-297-A (Item 299)  
 46 Chelmsford Court  
 N/S Chelmsford, 485' E of c/l Londorperry Court  
 15th Election District - 5th Councilmanic  
 Legal Owner: Dan Thomas and Angela Thomas

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before February 18, 1996. The closing date (March 4, 1996) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

[Signature]

Arnold Jablon  
Director

cc: Dan and Angela Thomas  
 Patis Enclomures, Inc.





Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

February 27, 1996

R. L. Tice, Agent  
Patio Enclosures, Inc.  
224 8th Ave., N.W.  
Glen Burnie, MD 21061

RE: Item No.: 299  
Case No.: 96-297-A  
Petitioner: Dan Thomas, et ux

Dear Mr. Tice:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on February 7, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

*W. Carl Richards, Jr.*  
W. Carl Richards, Jr.  
Zoning Supervisor

WCR/jw  
Attachment(s)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM  
FROM: Arnold F. "Pat" Keller, III, Director, PO  
SUBJECT: 46 Chelmsford Ct.

DATE: February 21, 1996

INFORMATION:

Item Number: 299  
Petitioner: Thomas Property  
Property Size:  
Zoning: DR-10.5  
Requested Action: Administrative Variance  
Hearing Date:

SUMMARY OF RECOMMENDATIONS:

Pursuant to Section 1801.3A.7.b(3) of the BCZR, the Director of the Office of Planning finds that the proposed amendment is in accordance with the specific standards and requirements of BCZR Article 1(B) and other provisions of the CMNP. Staff offers no comment on the requested Variance.

Prepared by: *Jeffrey W. Long*

Division Chief: *Caryl Lewis*

PK/JL



Maryland Department of Transportation  
State Highway Administration

David L. Winstead  
Secretary  
Hal Kassoff  
Administrator

2-16-96

Ms. Joyce Watson  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. 299 (MJK)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*Bob Small*  
Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/es

My telephone number is \_\_\_\_\_  
Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free  
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
FROM: Robert W. Bowling, P.E., Chief  
Development Plans Review

DATE: Feb. 26, 1996

RE: Zoning Advisory Committee Meeting  
for February 26, 1996  
Items 294, 295, 296, 298, 299, 300, 301, 302, 303 and 303

The Development Plans Review Division has reviewed the subject zoning items and we have no comments.

RWB:ew

Baltimore County Government  
Fire Department



700 East Joppa Road  
Towson, MD 21286-5500

Office of the Fire Marshal  
(410) 887-4880

DATE: 02/20/96

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STDP-1105

RE: Property Owner: SEE BELOW

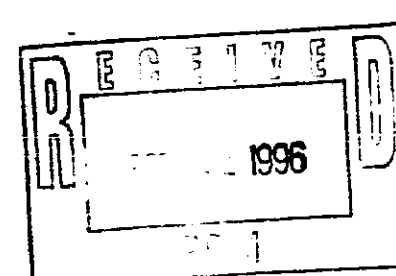
Location: DISTRIBUTION MEETING OF FEB. 20, 1996

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

6. The Fire Marshal's Office has no comments at this time.  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 294, 295, 296, 298, 299, 300, 301, 302 & 304.



REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

LIBERTY 16 PAGE 4 20

DEED - SEE SIMPLE - INDIVIDUAL GRANTEE - LONG FORM

This Deed, Made This 27th day of October  
in the year one thousand nine hundred and ninety three by and between  
DAN L. THOMAS

of the State of Maryland of the first part, and  
DAN L. THOMAS and ANGELA R. THOMAS, his wife  
of the second part.

Witnesseth, That in consideration of the sum of \$0.00, No Consideration, whereas this deed is an inter family transfer from husband to wife, by virtue of a marriage decree, for love and affection and other valuable consideration, thereby exempting the transfer from documentary stamps and transfer tax.

the said DAN L. THOMAS

do hereby grant and convey to the said DAN L. THOMAS and ANGELA R. THOMAS, as tenants by the entirety, and unto the survivor of them and the survivors heirs, their

personal representatives successors and assigns, in fee simple, all  
that lot of ground situate in Baltimore County  
and described as follows, that is to say:

BEING KNOWN AND DESIGNATED as Lot No. 108, as shown on the Plat entitled "Plat II, Section 3, Village of Towson", which Plat is recorded among the Land Records of Baltimore County in Plat Book ENE Jr. No. 55, Folio 85. The improvements thereon being known as 46 Chelmsford Court, Baltimore, Maryland 21220.

BEING THAT SAME Lot of ground as described in a Deed dated March 28, 1991 and recorded among the Land Records of Baltimore County, Maryland in Liber 8757 as Folio 46, was granted and conveyed by STERLING JONES CONVICTION, II unto DAN L. THOMAS, the within named Grantor.

THE WITHIN GRANTEE DO HEREBY CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE LAND CONVEYED HEREIN IS RESIDENTIALLY IMPROVED OWNER-OCCUPIED REAL PROPERTY AND THAT THE RESIDENCE WILL BE OCCUPIED BY US AS EVIDENCED BY THE SIGNATURES BELOW.

This is to certify the within instrument was prepared under the supervision of an Attorney duly admitted to practice before the Court of Appeals of the State of Maryland.

*Arnold Keller*  
F. Michael Greer, Secretary

RECEIVED  
FEB 23 1996  
F. Michael Greer, Secretary

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Richard Tice	Patio Enclosure 224 8th Ave NW
Pat Thomas	Glen Burnie MD 21061
Angela Thomas	46 Chelmsford Ct
Gary Siper	Patio Enclosure 224 8th Ave NW Glen Burnie MD 21061

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

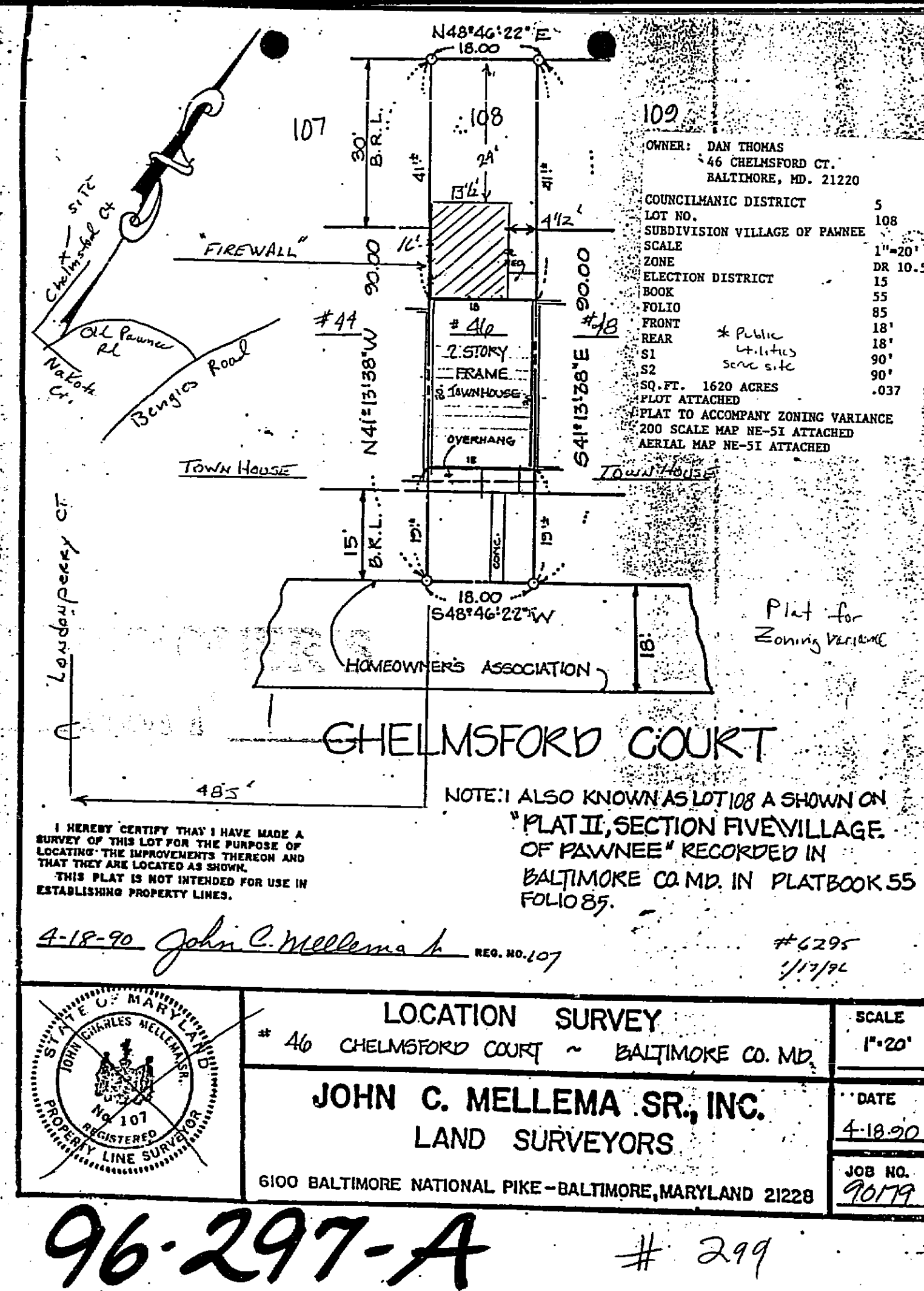
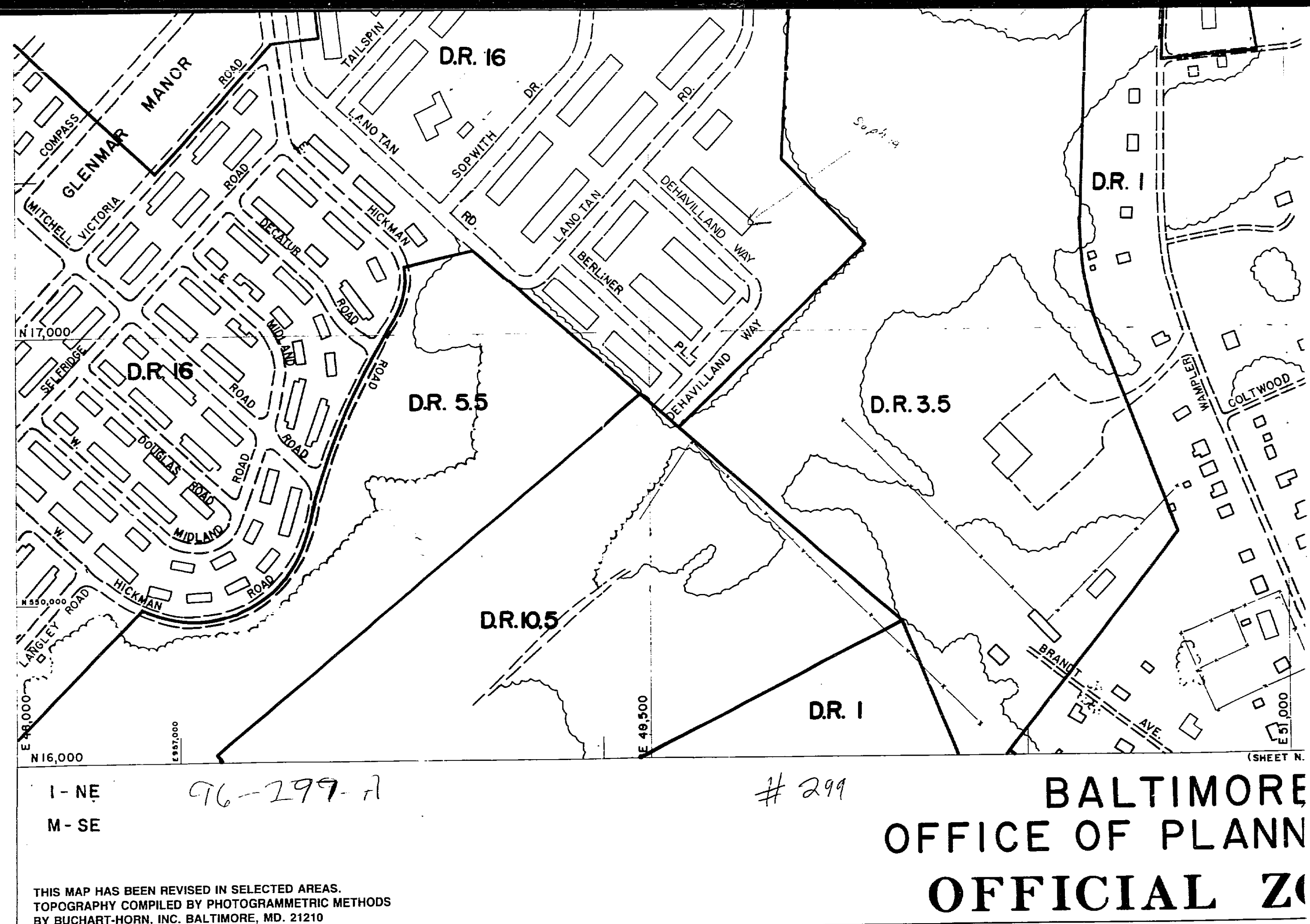
NAME	ADDRESS
Cynthia K. Hitt Attorney	
Martins Ridge HOA	
and John McCumber	Martins Ridge HOA
President of Martins Ridge	P.O. Box 3637
HOA	Crofton MD 21114

(410) 539-6606, BALTIMORE, MD.  
(202) 887-0863, WASHINGTON, D.C.  
TELEFAX (410) 332-0269

CYNTHIA K. HITT  
ATTORNEY AT LAW

SISKIND, GRAVY, ROSEN & HOWER, P.A.  
TWO EAST FAYETTE STREET  
BALTIMORE, MARYLAND 21202





# MARTINS RIDGE HOMEOWNER'S ASSOCIATION ARCHITECTURAL STANDARDS COMMITTEE

December 7, 1995

Mr. and Mrs. Dan Thomas  
46 Chelmsford Court  
Baltimore, Maryland 21220

Re: 46 Chelmsford Court

Dear Mr. and Mrs. Thomas,

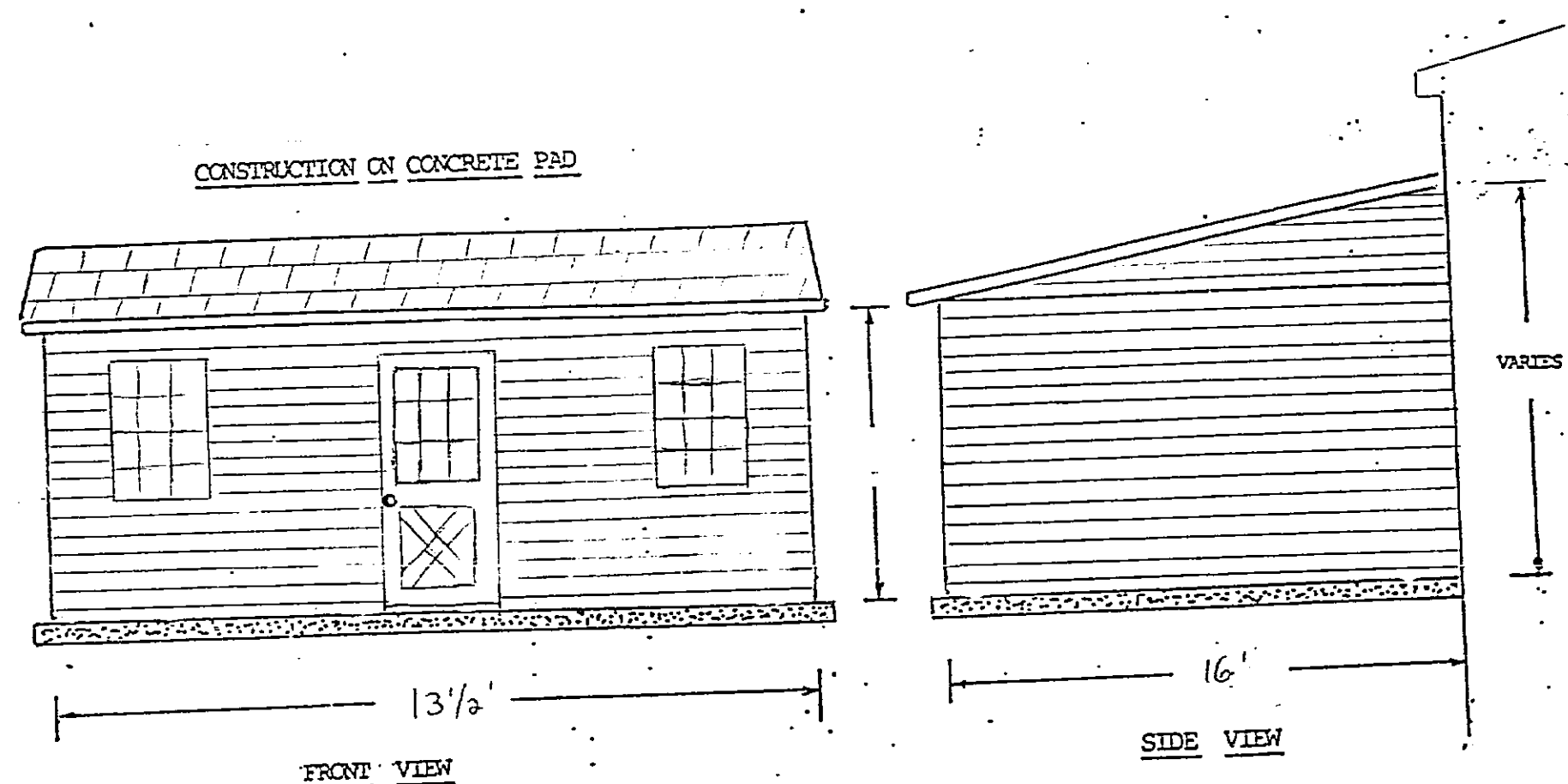
This letter will acknowledge receipt of your request regarding the family room you propose to build in the rear yard of the subject property.

At a meeting of the Architectural Standards Committee, it was decided that you may proceed with the installation of your family room subject to the following standards:

1. Obtain a Baltimore County Building Permit and forward to the Architectural Committee before construction begins. This is to assure all homeowners that all regulations, such as those regarding fire retardancy, are being followed.
2. The pitch of the family room roof must be the same as that of the existing shed. The roof is to be covered with shingles that match the roof shingles presently on the townhouse. ("Weathered Wood" manufactured by CertainTeed.)
3. Gutters need to be installed on the roof to control water run off. These gutters (cream color) should match the existing gutters on the house.
4. All vinyl siding and trim work must match the existing colors of your home.

BALTIMORE  
OFFICE OF PLANNING  
OFFICIAL ZONING MAP

96-297-A # 299



PATIO ENCLOSURE INC.  
SCALE - 1/8" = 1'-0"  
DATE 11/28/95  
NAME Mr. & Mrs. Dan Thomas  
46 Chelmsford Court  
Baltimore MD 21220

## MARTINS RIDGE HOMEOWNER'S ASSOCIATION ARCHITECTURAL STANDARDS COMMITTEE

January 23, 1996

Mr. and Mrs. Dan Thomas  
46 Chelmsford Court  
Baltimore, Maryland 21220

Re: 46 Chelmsford Court

Dear Mr. and Mrs. Thomas,

This letter will acknowledge receipt of your request regarding the family room you propose to build in the rear yard of the subject property.

At a meeting of the Architectural Standards Committee, it was decided that you may proceed with the installation of your family room subject to the following standards:

1. Obtain a Baltimore County Building Permit and forward to the Architectural Committee before construction begins. This is to assure all homeowners that all regulations, such as those regarding fire retardancy, are being followed.
2. The pitch and height of the family room roof must be the same as that of the existing shed. The roof is to be covered with shingles that match the roof shingles presently on the townhouse. ("Weathered Wood" manufactured by CertainTeed.)
3. Gutters need to be installed on the roof to control water run off. These gutters (cream color) should match the existing gutters on the house.
4. All vinyl siding and trim work must match the existing colors of your home.

03/27/1996 15:33 1418-333-8569 SHA FINANCE PAGE 81

**BALTIMORE COUNTY, MARYLAND**  
DEPARTMENT OF PERMITS AND LICENSES  
TOWSON, MARYLAND 21204

**BUILDING PERMIT**

PERMIT #: B242072 CONTROL #: MR DIST: 15' PREC: 04  
DATE ISSUED: 07/24/95 TAX ACCOUNT #: 2000011154 CLASS: 04

PLANS: CONST 0 PLOT 1 R PLAT 0 DATA 0 SLEC NO FLUM NO  
LOCATION: 62 CHELMSFORD CT  
SUBDIVISION: VILLAGE OF PAVANEE

OWNERS INFORMATION  
NAME: MCDONALD, DONALD  
ADDR: 62 CHELMSFORD CT

TEENANT:  
CONTR: OWNER  
ENGR:  
SELLER:  
WORK: CONSTRUCT WOOD ROOF OVER EX REAR PATIO  
17X16X12-70 SF/ TO REPAIR OPEN IN ACCORDANCE  
W/ CODE MEMO #1/ NOT CBGA OR FP/ LMA ESSX OFF

BLDG. CODE: BOMA CODE TOWNHOUSE OWNERSHIP: PRIVATELY OWNED  
ESTIMATED \$ PROPOSED USE: SETH & ATT ROOF  
1,900.00 EXISTING USE: SETH

TYPE OF IMPRV: ADDITION  
USE: ONE FAMILY  
FOUNDATION: BASEMENT:  
SEWER: PUBLIC EXIST NATR: PUBLIC

LOT SIZE AND SETBACKS  
SIZE: 9018.00 X 8090.00  
FRONT STREET:  
SIDE STREET:  
FRONT SETB: N/C  
SIDE SETB: 6'-6"  
SIDE STR SETB:  
REAR SETB: 30'

THIS PERMIT  
EXPIRES ONE  
YEAR FROM DATE  
OF ISSUE

URGENT  
Permit Fee Note 7871 Date 4/1/96 Page 4  
To: Cindy From: John McConnel  
To: Mark From: Mark Edge  
To: Mark From: Mark Edge  
To: Mark From: Mark Edge

OR PLEASE REFER TO PERMIT NUMBER WHEN MAKING INQUIRIES.



April 17, 1996

Mr. and Mrs. Stephen Schreck  
513 Gloucester Court  
Baltimore, MD 21220

Re: 513 Gloucester Court

Dear Mr. and Mrs. Schreck:

This letter will acknowledge receipt on April 5, 1996, of your letter and sketch dated April 3, 1996, describing the location and type of patio enclosure, revised sundeck plan and storm door you propose to erect within the rear yard and front door of the subject property.

We are pleased to advise that you may proceed with the patio enclosure, sundeck and storm door as proposed subject to the following:

1. The color of the sundeck must be a natural wood finish.
2. Materials used in the construction of the sundeck will be "pressure treated" lumber.
3. Railing around the perimeter of the sundeck must be constructed with 2" x 2" vertical wood pickets for similar rail appearance as other sundecks in the community.
4. Roof of patio enclosure to have a 4" - 12" pitch and adjoin the rear wall of the house at the same elevation as the existing roof of the existing shed. (under the bedroom windows and above the exhaust vents)

We remind you that this approval does not relieve you of the responsibility of complying with all Baltimore County Building and Zoning regulations, including permits where required. It further will be the owner's responsibility to insure that proper surface drainage is not impeded or altered by the installation of the sundeck and patio enclosure.

We thank you for your cooperation in this matter and your recognition of the value of the architectural guidelines that have been established for "Martins Ridge".

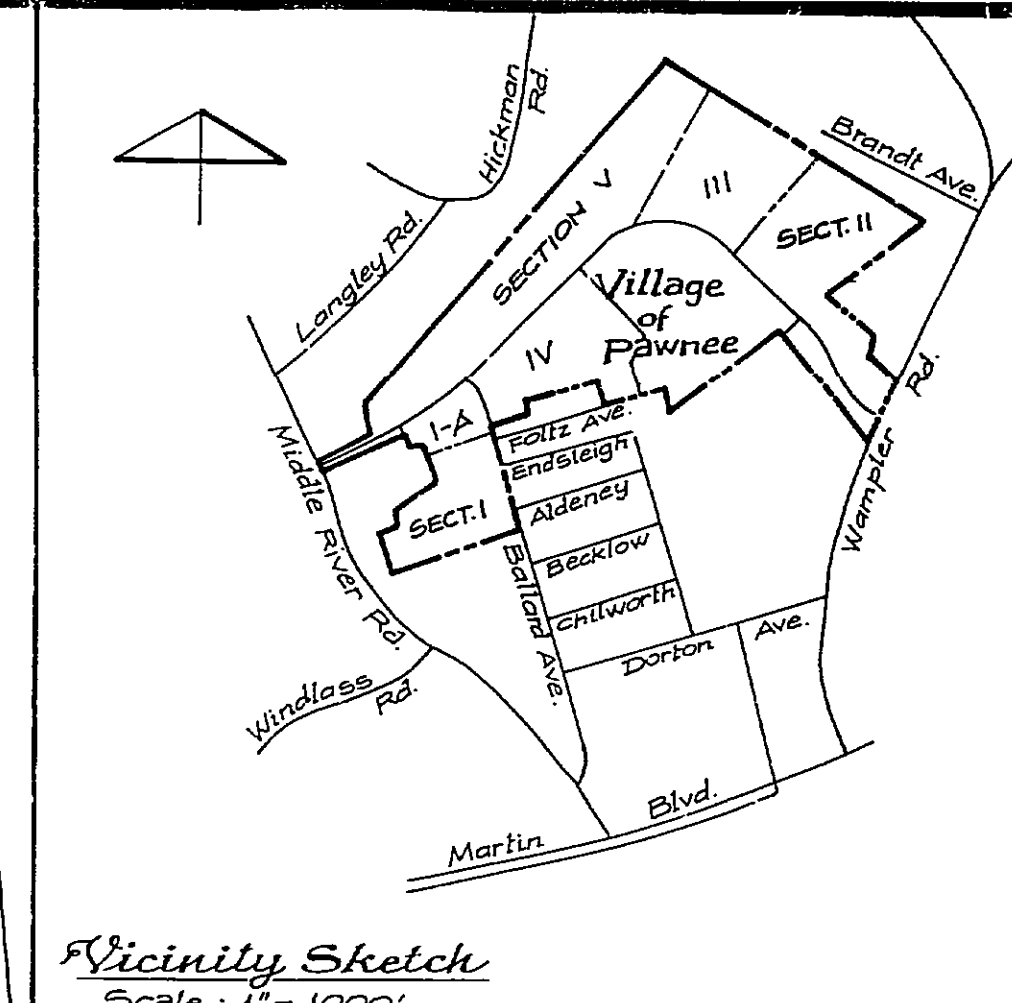
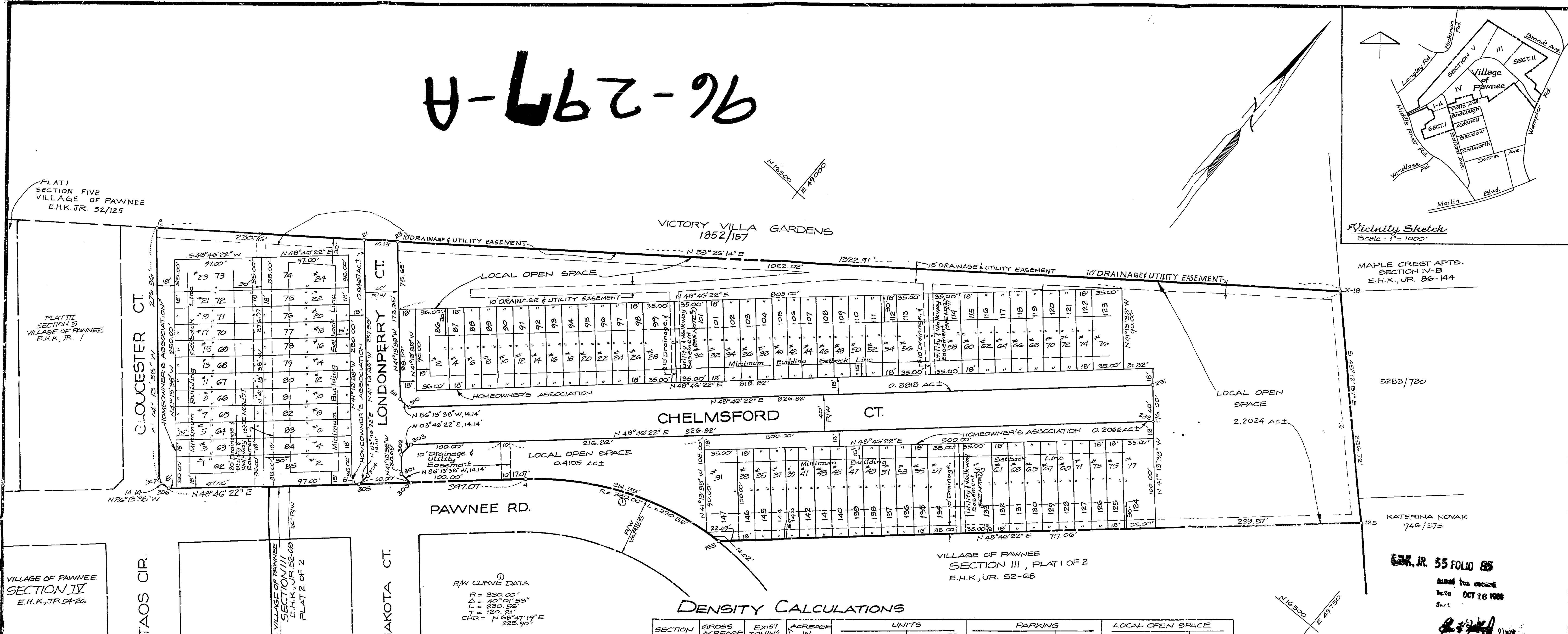
Sincerely,  
Lee Brown  
Director

LB/kg

cc: CONANCO, Inc. Attn: Jason Faust  
7133 Rutherford Road • Baltimore, Maryland 21207 • (301) 281-1700



H-662-26



DENSITY CALCULATIONS

SECTION	GROSS ACREAGE	EXIST ZONING	PERCENTAGE IN	UNITS ALLOWED	UNITS PROPOSED	PARKING REQUIRED	PARKING PROVIDED	LOCAL OPEN SPACE REQUIRED	LOCAL OPEN SPACE PROVIDED
I	5.98 AC	DR 16	5.98 AC	95.7 DN	60 DN	92 SPS	140 SPS	0.90 AC	0.30 AC
II	13.98 AC	DR 35	13.98 AC	73.7 DW	94 DW	166 SPS	180 SPS	0.84 AC	3.72 AC
III	22.94 AC	DR 55	13.44 AC, 9.48 AC	173.5 DW	212 DW	371 SPS	420 SPS	1.95 AC	2.67 AC
IV	7.11 AC	DR 55, DR 10.5, DR 16	6.68 AC, 0.79 AC, 0.24 AC	45 DW, 3.8 DN	37 DW	60 SPS	74 SPS	0.53 AC	1.07 AC
I-A	1.26 AC	DR 16	1.26 AC	20.2 DN	7 DN	11 SPS	SHOWN ON SECT. I	0.19 AC	0.80 AC
SECTION V	PLAT I: 6.73 AC, PLAT 2: 8.45 AC, PLAT 3: 1.04 AC	DR 5.5, DR 16, DR 5.5, DR 10.5, DR 16	5.25 AC, 1.47 AC, 0.03 AC, 0.42 AC, 0.11 AC	22.7 DW, 23.5 DW, 0.03 DW, 5 CG, 1.15	48-38R THS = 48 DN, 86 DW, 13 DW	1.75x48=84 SPS, 1.75x26=45.5 SPS	72 SPS, 172 SPS, 23 SPS	650'x48=0.72 AC, 650'x26=1.28 AC, 650'x13=0.19 AC	1.63 AC, 2.22 AC, 0.00
TOTAL	68.08 AC	DR 5.5, DR 10.5, DR 16	32.52 AC, 18.59 AC, 8.95	217.7 DW, 190.0 DW, 143 DN	414 DW, 143 DN	950 SPS, 1106 SPS		6.61 AC	13.85 AC

COORDINATES

No.	NORTH	EAST
19	16014.72	48474.12
21	16152.10	48650.47
25	16176.00	48661.70
231	16550.47	48442.11
232	16550.20	48468.47

No.	NORTH	EAST
300	15983.30	48873.45
301	15984.84	48859.34
302	16000.39	48845.71
303	16014.50	48846.64
304	15958.47	48829.25
305	15944.36	48828.32
306	15803.96	48670.30
307	15806.89	48656.87
310	16004.52	48820.28
311	16045.51	48806.17

PLAT II  
SECTION FIVE  
VILLAGE OF PAWNEE  
15TH ELECTION DISTRICT  
SCALE: 1" = 50'  
CRG APPROVED  
BALTO. CO. MD.  
DATE: 7/31/86  
11-21-84

TAX ACCOUNT NUMBERS 20-00-008337, 20-00-010699

W. DUVAL & ASSOCIATES, INC.  
SURVEYORS - PLANNERS - ENGINEERS  
530 EAST JOPPA ROAD  
TOWSON, MARYLAND 21204  
TELEPHONE (301) 583-2571

APPROVED DEPARTMENT OF PUBLIC WORKS  
APPROVED OFFICE OF PLANNING & ZONING  
APPROVED DEPARTMENT OF HEALTH

SURVEYOR'S CERTIFICATE  
THE UNDERSIGNED, A REGISTERED LAND SURVEYOR OF THE STATE OF MARYLAND, DOES HEREBY CERTIFY THAT HE IS THE SURVEYOR WHO PREPARED THIS PLAN AND THAT THE LAND SHOWN ON THIS PLAN HAS BEEN LAID OUT AND THE PLAT THEREOF HAS BEEN PREPARED IN COMPLIANCE WITH THE REQUIREMENTS OF SUB-SECTION (C) OF SECTION 3-103 OF THE REAL PROPERTY ARTICLE OF ANNOTATED CODE OF MARYLAND, PARTICULARLY AS SAME CONCERN THE MAKING OF THIS PLAT AND SETTING OF THE MARKERS.

OWNER'S CERTIFICATE  
THE UNDERSIGNED, OWNER OF THE LAND SHOWN ON THIS PLAT, HEREBY CERTIFIES THAT, TO THE BEST OF HIS KNOWLEDGE, THE REQUIREMENTS OF SUB-SECTION (C) OF SECTION 3-103 OF THE REAL PROPERTY ARTICLE OF ANNOTATED CODE OF MARYLAND, HAS BEEN COMPLIED WITH, INsofar AS SAME CONCERN THE MAKING OF THE PLAT AND SETTING OF THE MARKERS.

NOTE:  
THE STREETS AND/OR ROADS SHOWN HEREON AND THE MENTION THEREOF IN DEEDS ARE FOR THE PURPOSE OF DESCRIPTION ONLY AND THE SAME ARE NOT INTENDED TO BE DEDICATED TO PUBLIC USE, THE FEE SIMPLE TITLE TO THE BEDS THEREOF IS EXPRESSLY RESERVED IN THE GRANTORS OF THE DEED TO WHICH THIS PLAT IS ATTACHED, THEIR HEIRS AND ASSIGNS.

NOTE:  
HIGHWAY AND HIGHWAY WIDENING, SLOPE, DRAINAGE, AND UTILITY EASEMENTS SHOWN HEREON ARE RESERVED UNTO THE DEVELOPER AND ARE HEREBY OFFERED FOR DEDICATION TO BALTIMORE COUNTY, MARYLAND, THE DEVELOPER, HIS PERSONAL REPRESENTATIVES, AND ASSIGNS SHALL CONVEY SAID AREAS BY DEED TO BALTIMORE COUNTY, MARYLAND AT NO COST.

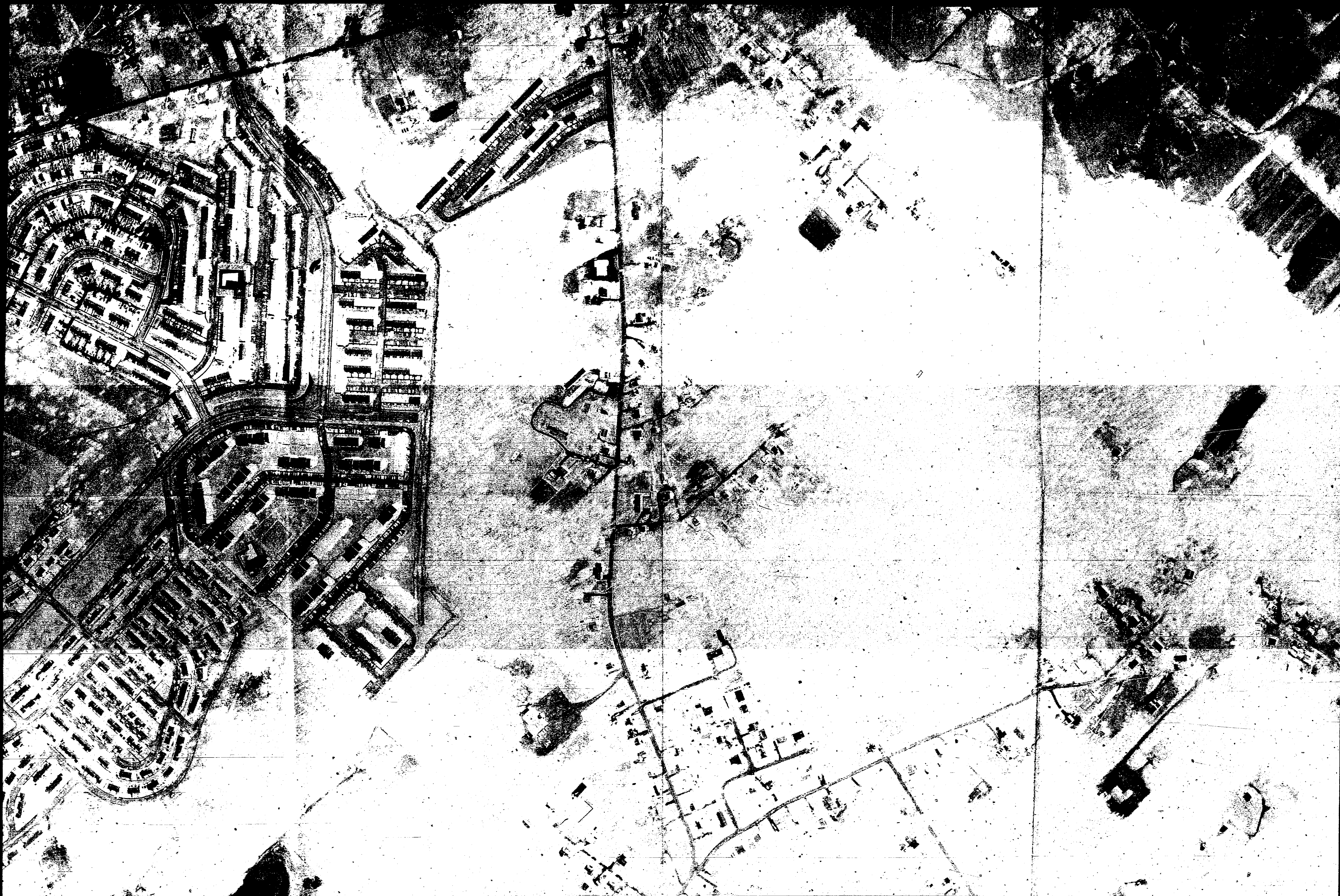
NOTE:  
1) FORMAL IRREVOCABLE OFFERS OF DEDICATION HAVE BEEN MADE.  
2) RECORDING OF THIS PLAT DOES NOT CONSTITUTE OR IMPLY ACCEPTANCE BY THE COUNTY OF ANY STREET, EASEMENT, PARK, OPEN SPACE, OR OTHER PUBLIC AREA SHOWN ON THIS PLAT.  
3) THIS PLAT MAY EXPIRE IN ACCORDANCE WITH THE PROVISIONS OF BALTIMORE COUNTY BILL 56-82 (SECTION 22-68).  
4) RECORDING OF THIS PLAT DOES NOT GUARANTEE INSTALLATION OF STREETS OR UTILITIES BY BALTIMORE COUNTY.  
5) THE INFORMATION SHOWN ON THIS PLAT MAY BE SUPERSEDED BY A SUBSEQUENT OR AMENDED PLAT.  
6) ADDITIONAL INFORMATION CONCERNING THIS PLAT MAY BE OBTAINED FROM THE OFFICE OF PLANNING AND ZONING AND THE DEPARTMENT OF PUBLIC WORKS.  
7) 12" THICKES SHALL BE ERECTED WITHIN WALKWAY EASEMENT AREAS

COMPUTED BY: DF  
DRAWN BY: LB  
CHECKED BY: JD  
PROJECT NUMBER: 7243

55/85



96-299-A



BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.  
MARTINSBURG, W.V. 25401

SCALE	LOCATION	SHEET
1" = 200' ±		
DATE OF PHOTOGRAPHY	BENGRES VICINITY	N.E. 5-1
JANUARY 1986	# 299	